

ESTTA Tracking number: **ESTTA613145**Filing date: **07/01/2014**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052897
Party	Plaintiff Thomas Skold
Correspondence Address	ARTHUR E JACKSON MOSER IP LAW GROUP 1030 BROAD STREET, SUITE 203 SHREWSBURY, NJ 07702 UNITED STATES docketing@mtiplaw.com, ajackson@mtiplaw.com
Submission	Testimony For Plaintiff
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Filer's e-mail	docketing@mtiplaw.com, mcurcio@mtiplaw.com, ajackson@mtiplaw.com
Signature	/Arthur E. Jackson/
Date	07/01/2014
Attachments	NoticeOfFilingOfDepositionPublicVersion.pdf(12098 bytes ) DepositionPublicVersion.pdf(5119889 bytes ) NoticeofFilingOfDepositionExhibitsPublic.pdf(17674 bytes ) Skold 004.pdf(64086 bytes ) Skold 005.pdf(169995 bytes ) Skold 010.pdf(65668 bytes ) Skold 013_Redacted_Public.pdf(1159027 bytes ) Skold 014.pdf(131138 bytes ) Skold 016.pdf(121467 bytes ) Skold 017.pdf(88529 bytes ) Skold 018.pdf(152893 bytes ) Skold 019.pdf(224876 bytes ) Skold 020.pdf(228267 bytes ) Skold 021.pdf(139964 bytes ) Skold 022_Redacted_Public.pdf(266479 bytes ) Skold 023_Redacted.Publicpdf.pdf(508399 bytes ) Skold 024_Redacted_Public.pdf(347176 bytes ) Skold 025_Redacted_Public.pdf(341150 bytes ) Skold 026_Redacted_Public.pdf(774143 bytes ) Skold 028.pdf(61909 bytes ) Skold 029_Redacted_Public.pdf(359215 bytes ) Skold 030_Redacted_Public.pdf(942557 bytes ) Skold 031_Redacted_Public.pdf(363906 bytes ) Skold 032_Redacted_Public.pdf(196324 bytes ) Skold 033_Redacted_Public.pdf(485079 bytes ) Skold 034_Redacted_Public.pdf(2256420 bytes ) Skold 35_Redacted_Public.pdf(540207 bytes ) Skold 036_Redacted_Public.pdf(2632786 bytes ) Skold 037_Redacted_Public.pdf(73783 bytes ) Skold 038_Redacted_Public.pdf(925325 bytes ) Skold 039_Redacted_Public.pdf(444608 bytes ) Skold 040_Redacted_Public.pdf(1789112 bytes ) Skold 041_Redacted_Public.pdf(366802 bytes ) Skold 042_Redacted_Public.pdf(304242 bytes ) Skold 043_Redacted_Public.pdf(310480 bytes ) Skold 044_Redacted_Public.pdf(319430 bytes ) Skold 045.pdf(85845 bytes )

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration Nos. 2985751; and 3394514

Dated: August 16, 2005 & March 11, 2008, Respectively

Thomas Sköld,	)	
Petitioner	)	
	)	
v.	)	
	)	Cancellation No. 92052897
Galderma Laboratories, Inc.,	)	
Registrant	)	
	)	

**SKÖLD NOTICE OF FILING SKÖLD SUPPLEMENTAL DEPOSITION**

Pursuant to 37 CFR 1.123(h), Petitioner herewith files a true copy of the Supplemental Deposition of Thomas Sköld, taken 14 January 2014. True copies of the exhibits introduced therewith are being filed under separate cover.

Respectfully submitted,

Date: July 1, 2014

By: /Arthur E. Jackson/

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(732) 935-7100  
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Attorney for Petitioner



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Thomas Sköld,	)	
Petitioner,	)	
	)	
v.	)	
	)	Cancellation No. 92052897
Galderma Laboratories, Inc.,	)	
Registrant	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Sköld Notice of Filing Sköld Supplemental Deposition and the Public Version of the deposition referenced there in were sent by email on this 1<sup>st</sup> day of July, 2014 to:

[Jeff.Becker@haynesboone.com](mailto:Jeff.Becker@haynesboone.com)

And that the Trade Secret/Commercially Sensitive version of the deposition referenced therein were sent by mail to:

Jeff Becker, Esq.  
Haynes and Boone, LLP  
2323 Victory Avenue - Suite 700  
Dallas, TX 75219

/Arthur E. Jackson/  
\_\_\_\_\_  
Arthur E. Jackson

Public Version



## Transcript of **THOMAS SKOLD**

**Date:** January 14, 2014

**Case:** SKOLD v. GALDERMA LABORATORIES, INC.

Planet Depos  
Phone: 888-433-3767  
Fax: 888-503-3767  
Email: [transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)  
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Court Reporting | Videography | Videoconferencing | Interpretation | Transcription

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1 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

3 -----x

4 THOMAS SKOLD, :

5 Petitioner, :

6 v. : Cancellation No.

7 GALDERMA LABORATORIES, INC., : 92052897

8 Registrant. :

9 -----x

10  
11 Telephonic Deposition of THOMAS SKOLD

12 Princeton, New Jersey

13 Tuesday, January 14, 2014

14 9:21 a.m.

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23 Job No.: 50589

24 Pages: 1 - 154

25 Reported by: David Levy

TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

**Public Version**

2

1           Telephonic Deposition of THOMAS SKOLD, held  
2       at the offices of:

3  
4  
5           DECHERT, LLP  
6           902 Carnegie Center  
7           Suite 500  
8           Princeton, New Jersey 08540  
9           (609) 955-3230

10  
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13  
14           Pursuant to Notice, before David Levy, Certified  
15       Court Reporter and Notary Public in and for the State  
16       of New Jersey.

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CONDUCTED ON TUESDAY, JANUARY 14, 2014

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CONDUCTED ON TUESDAY, JANUARY 14, 2014

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CONDUCTED ON TUESDAY, JANUARY 14, 2014

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C O N T E N T S

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E X H I B I T S

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Exhibit T-5 2/22/10 assignment of patent estate from Galderma to Skold Bates numbered TS-000048 and 49	26
Exhibit T-10 E-Mail dated 10/22/02, Kennedy to Skold, Bates numbered SKOLD-000013	27
Exhibit T-13 Draft amendments to agreement attached to SKOLD-000036, Bates numbered SKOLD-000037 through 50	29
Exhibit T-14 E-Mail chain dated 7/10/04 to 7/12/04, Day to Skold, Bates numbered SKOLD-000051	30
Exhibit T-16 E-Mail exchange dated 10/4/04 between CollaGenex and Skold, Bates numbered SKOLD-000054	32

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-17	E-Mail dated 12/15/05, Greg	33
4		Ford to Skold, Bates numbered	
5		SKOLD-000057	
6	Exhibit T-18	E-Mail dated 2/27/06, Zerler	34
7		to Skold, with attachment,	
8		Bates numbered SKOLD-000058	
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10	Exhibit T-19	Letter dated 7/7/06, Wiggin &	34
11		Dana LLP to CollaGenex, Bates	
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13	Exhibit T-20	E-Mail chain, 6/27/06 to 7/17/06	35
14		between Greg Ford and formulator,	
15		cc's to Skold, Bates numbered	
16		SKOLD-000064 through 66	
17	Exhibit T-21	E-Mail chain, 7/27/07 to 8/1/07,	37
18		between Ford and Skold, Bates	
19		numbered SKOLD-000067	
20	Exhibit T-22	Letter dated 1/29/08, Wiggin	38
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**Public Version**

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-23	E-Mail chain dated 9/1/08	39
4		between Samira and Skold, with	
5		attachment, Bates numbered	
6		SKOLD-000071 through 74	
7	Exhibit T-24	E-Mail chain dated 9/3/08	41
8		between Samira and Skold, Bates	
9		numbered SKOLD-000075	
10	Exhibit T-25	E-Mail chain dated 9/1 through	42
11		9/4, 2008, between Samira,	
12		Fredon and Skold, Bates	
13		numbered SKOLD-000076 through 78	
14	Exhibit T-26	E-Mail dated 9/8/08, Samira	43
15		to Skold, with attached memo,	
16		Bates numbered SKOLD-000079	
17		through 82	
18	Exhibit T-28	E-Mail dated 12/1/09, Skold to	44
19		DeBruyne, Bates numbered	
20		SKOLD-000086	
21	Exhibit T-29	E-Mail chain dated 1/27 through	45
22		2/8, 2010, between Wallace and	
23		Skold, Bates numbered	
24		SKOLD-000087 through 88	
25			

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-30	E-Mail chain dated 5/21 through	46
4		5/29, 2007, between Skold and	
5		██████████, Bates numbered	
6		SKOLD-000096 through 98	
7	Exhibit T-31	E-Mail chain dated 7/24/08	47
8		between Skold and ██████████, Bates	
9		numbered SKOLD-000100	
10	Exhibit T-32	E-Mail dated 8/1/07, ██████████	██████████
11	██████████	██████████ and Skold, Bates	
12		numbered SKOLD-000101	
13	Exhibit T-33	E-Mail chain dated 8/24/07	49
14		between ██████████ and Skold, Bates	
15		numbered SKOLD-000102	
16	Exhibit T-34	Set of PowerPoint slides on	50
17		mucosal form of Restoraderm	
18		technology, Bates numbered	
19		SKOLD-000104 through 116	
20	Exhibit T-35	E-Mail chain dated 8/3 to 8/4,	52
21		2008, between ██████████ and	
22		Skold, Bates numbered	
23		SKOLD-000117	
24			
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CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-36	Business plan on mucosal form of	53
4		Restoraderm technology, Bates	
5		numbered SKOLD-000119 through 162	
6	Exhibit T-37	Spreadsheet attached to e-mail	54
7		of SKOLD-000117-18	
8	Exhibit T-38	E-Mail chain dated 1/7 through	55
9		1/13, 2008 between Skold, [REDACTED]	
10	[REDACTED]	[REDACTED], Bates numbered	
11		SKOLD-000164 through 166	
12	Exhibit T-39	E-Mail chain dated 1/15 through	56
13		1/25, 2008, between Skold,	
14		[REDACTED] Bates	
15		numbered SKOLD-000167 through 169	
16	Exhibit T-40	E-Mail chain dated 3/3/10, Skold	56
17		to distribution, Bates numbered	
18		SKOLD-000170 through 194	
19	Exhibit T-41	E-Mail chain dated 9/11 through	59
20		3/17, 2010, between Skold and	
21		[REDACTED] Bates numbered	
22		SKOLD-000195	
23	Exhibit T-42	E-Mail chain dated 8/19 to 8/22,	60
24		2011, [REDACTED] Skold,	
25		Bates numbered SKOLD-000197	

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-43	E-Mail chain dated 8/29/11	61
4		between Skold and [REDACTED]	
5		[REDACTED], Bates numbered	
6		SKOLD-000198	
7	Exhibit T-44	E-Mails dated 12/13 to 12/15,	62
8		2011, between Skold and [REDACTED]	
9		[REDACTED], Bates numbered	
10		SKOLD-0000200	
11	Exhibit T-45	E-Mail chain dated 11/29/07	63
12		between Ford and Skold, Bates	
13		numbered SKOLD-000606	
14	Exhibit T-46	Letter dated 2/12/08, CollaGenex	64
15		to Wiggin & Dana, Bates numbered	
16		SKOLD-000658 through 663	
17	Exhibit T-47	Set of PowerPoint presentation	65
18		slides, Bates numbered	
19		SKOLD-000872 through 891	
20	Exhibit T-48	E-Mail dated 2/14/07, Jeff Day	67
21		to Skold, Bates numbered	
22		SKOLD-001023	
23	Exhibit T-49	E-Mail chain dated 12/5 to 12/6,	68
24		2010, between [REDACTED] and Skold,	
25		Bates numbered SKOLD-001695	

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-50	E-Mail dated 1/26/04, Day to	69
4		Skold, Bates numbered SKOLD-001751	
5	Exhibit T-51	Document [REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED] Skold	
7		Agreement," Bates numbered	
8		SKOLD-1766 through 1767	
9	Exhibit T-52	E-Mail dated 9/15/04, Day to	72
10		Skold, Bates numbered	
11		SKOLD-001788	
12	Exhibit T-53	E-Mail chain dated 9/3 through	73
13		9/8, 2004, between Ranbaxy, Skold	
14		and CollaGenex, Bates numbered	
15		SKOLD-001790 through 91	
16	Exhibit T-54	Meeting agenda entitled,	73
17		"CollaGenex/Ranbaxy - September	
18		9, 2004 Teleconference re	
19		Restoraderm," Bates numbered	
20		SKOLD-001792	
21	Exhibit T-55	E-Mail dated 10/26/04, Ford	75
22		to Skold, Bates numbered	
23		SKOLD-001803	
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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-56	E-Mail chain dated 11/3 through	76
4		11/18, 2004, between CollaGenex	
5		parties and Skold, Bates numbered	
6		SKOLD-001804 through 1808	
7	Exhibit T-57	E-Mail chain dated 3/10 through	77
8		3/16, between Clapp and Skold,	
9		Bates numbered SKOLD-1809	
10	Exhibit T-60	E-Mail dated 6/22/09, Cassady	78
11		to Skold, Bates numbered	
12		SKOLD-00817	
13	Exhibit T-62	E-Mail chain dated 5/31 through	79
14		7/14, 2010, between DeBruyne and	
15		Skold, Bates numbered	
16		SKOLD-001820 and 1821	
17	Exhibit T-63	Press release dated 9/14/10,	70
18		Bates numbered SKOLD-001822 and 23	
19	Exhibit T-64	E-Mail chain dated 3/11 through	81
20		3/22, 2010, between Skold and	
21		██████████, Bates numbered	
22		SKOLD-001828 through 1829	
23	Exhibit T-65	E-Mail chain dated 6/1 and 6/2,	82
24		2010, between Skold and ██████████	
25		Bates numbered SKOLD-001830	

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-66	E-Mail chain dated 10/4 and	83
4		1/5, 2010, between Skold and	
5		██████████ Bates numbered	
6		SKOLD-001831 and 32	
7	Exhibit T-67	E-Mail chain dated 2/10 through	84
8		2/21, 2011, between Skold and	
9		██████████ Bates numbered	
10		SKOLD-001833 through 1835	
11	Exhibit T-68	E-Mail dated 6/30/11, Skold to	85
12		████████████████████ Bates numbered	
13		SKOLD-001836	
14	Exhibit T-72	E-Mail dated 9/4/01, Day to	85
15		Skold, not Bates numbered	
16	Exhibit T-75	E-Mail chain dated 2/17 and 2/18,	86
17		2002, between Day and Skold, not	
18		Bates numbered	
19	Exhibit T-76	E-Mail chain dated 3/21 through	87
20		5/1, 2009, between CollaGenex and	
21		potential partner	
22	Exhibit T-77	E-Mail chain dated 4/29 through	88
23		5/3, 2002, between Ashley and	
24		Skold, not Bates numbered	
25			

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-78	E-Mail dated 5/7/02, Day to	89
4		Skold, not Bates numbered	
5	Exhibit T-79	E-Mail chain dated 4/12 through	90
6		6/26, between Ashley, Epitan and	
7		Skold re formulation	
8		collaboration, not Bates numbered	
9	Exhibit T-80	E-Mail chain dated 5/26 and 5/27,	91
10		2005 between Skold and Epitan re	
11		promotion and consulting	
12	Exhibit T-81	E-Mail chain dated 10/4 through	93
13		10/9, 2002 between CollaGenex,	
14		Fujisawa and Skold re	
15		collaboration, not Bates numbered	
16	Exhibit T-82	E-Mail chain dated 3/7 through	94
17		3/10, 2003 between Day and Skold	
18		re development and promotions,	
19		not Bates numbered	
20	Exhibit T-83	E-Mail chain dated 3/13 and	94
21		3/14, 2003, between Day, Skold,	
22		et al, with attached agenda	
23	Exhibit T-84	E-Mail chain dated 5/12 through	95
24		5/16, 2003, between Day, Skold	
25		and Ghadially	



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CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-85	E-Mail dated 7/21/03, Day to	96
4		Goostree, cc to Skold	
5	Exhibit T-86	E-Mail chain dated 10/2 and	98
6		10/3, 2003, between Day, Skold	
7		and Ghadially, re product	
8		testing data	
9	Exhibit T-87	E-Mail chain dated 10/23 and	99
10		10/24, 2003, between Day and	
11		Skold, re promotions	
12	Exhibit T-88	E-Mail chain dated 10/25 through	100
13		11/7, 2003, between Day and Skold	
14		re promotions,	
15	Exhibit T-89	E-Mail chain dated 6/30 through	100
16		7/8, 2004, between Skold, Day,	
17		et al, re product development	
18	Exhibit T-90	E-Mail chain dated 2/27 through	101
19		9/27, 2004, between Day, Galderma	
20		and Skold, re promotion to Galderma	
21	Exhibit T-91	E-Mail chain dated 7/10 through	102
22		7/12, 2004, between Day and Skold	
23		re promotion to Therapeutics,	
24		Inc./Product Development	
25		Company, not Bates numbered	

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-92	E-Mail chain dated 2/20 to 8/9,	103
4		2004, between Day, Skold, et al,	
5		re Texa Derm, not Bates numbered	
6	Exhibit T-93	E-Mail chain dated 8/16 to 8/17,	104
7		2004 between Day, Skold et al,	
8		re promotion to Ranbaxy, not	
9		Bates numbered	
10	Exhibit T-94	E-Mail dated 9/10/04, Zeller to	105
11		Skold, re Ranbaxy, with attached	
12		initial outline,	
13	Exhibit T-95	E-Mail chain dated 3/2 to 3/4,	106
14		2005, between Ford, Skold,	
15		et al, re formulation development	
16	Exhibit T-96	E-Mail dated 9/28/04,	107
17		InyX-Pharma to Ford, Skold, et	
18		al, re summary of promotional	
19		meeting	
20	Exhibit T-97	E-Mail dated 6/14/05, Ford to	108
21		Skold re technical presentation	
22		for promotions	
23	Exhibit T-98	E-Mail chain dated 1/22/07	109
24		between Skold and Ford, re	
25		promotions to Pfizer and J&J	

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SKOLD DEPOSITION EXHIBIT PAGE

Exhibit ~~T-98~~ T-99 E-Mail chain dated 8/3 through 110 78  
8/9, 2007, between Skold and  
[REDACTED] on promotion  
Exhibit T-100 E-Mail dated 11/17 through 110  
12/10/07, between Skold and  
[REDACTED],  
Exhibit T-101 E-Mail chain dated 1/30 to 1/31, 111  
2008, between Skold and [REDACTED]  
re promotion,  
Exhibit T-102 E-Mail chain dated 1/30/10 112  
between Skold and [REDACTED]  
promotion and business  
obstruction  
Exhibit T-103 E-Mail chain dated 1/28 through 113  
2/10, 2010 between Skold and  
[REDACTED] and  
[REDACTED]  
Exhibit T-104 E-Mail chain dated 5/18/10, 114  
between Skold and [REDACTED]  
promotion  
Exhibit T-105 E-Mail chain dated 2/18 through 115  
2/23, 2010, between Skold and  
[REDACTED] teleconference



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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-113	E-Mail chain dated 7/8 to 7/26,	126
4		2011 between Skold, [REDACTED]	
5	[REDACTED]	[REDACTED] re promotion,	
6	Exhibit T-114	E-Mail chain dated 6/7 through	127
7		6/30, 2011, between [REDACTED]	
8		and Skold re promotion	
9	Exhibit T-115	E-Mail chain dated 9/8 to 9/9,	128
10		2011 between Skold, [REDACTED]s	
11		and Silvander re promotion,	
12		with CDA	
13	Exhibit T-116	E-Mail chain dated 1/5 to 1/7,	129
14		2012, between Skold and [REDACTED]	
15		on promotion	
16	Exhibit T-117	E-Mail chain dated 1/20/12,	130
17		between [REDACTED] and Skold,	
18		re promotion	
19	Exhibit T-118	E-Mail chain dated 4/10 to 4/11,	131
20		2012, between [REDACTED] and	
21		Skold re promotions	
22	Exhibit T-119	E-Mail dated 10/12/11, Skold to	132
23		[REDACTED], with signed CDA	
24			
25			

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1	E X H I B I T S C O N T I N U E D	
2	SKOLD DEPOSITION EXHIBIT	PAGE
3	Exhibit T-120 E-Mail dated 2/1/13, Day to	133
4	Skold re prospective promotion	
5	lead, not Bates numbered	
6	Exhibit T-121 E-Mail chain dated 5/6 through	134
7	5/10, 2006, between Ford and	
8	Skold re licensing relationship	
9	Exhibit T-122 E-Mail chain dated 5/11/06,	135
10	between Ford and Skold, re	
11	licensing relationship	
12	Exhibit T-123 E-Mail dated 2/6/08, Powell to	136
13	Skold, re licensing relationship	
14	Exhibit T-124 Page from Epitan agreement	137
15	missing from Exhibit T-11,	
16	previously marked	
17	Exhibit T-127 E-Mail chain dated 4/9 through	138
18	4/15, 2010, in Swedish, between	
19	Skold and [REDACTED] re promotion	
20	Exhibit T-128 E-Mail chain dated 10/10 to	139
21	10/11, 2010, between Skold and	
22	[REDACTED] re	
23	promotion	
24	Exhibit T-129 CollaGenex Form 10-K, fiscal	140
25	year ending 12/31/01	

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1	E X H I B I T S C O N T I N U E D		
2	SKOLD DEPOSITION EXHIBIT		PAGE
3	Exhibit T-131	Press release dated 2/12/12	140
4		from CollaGenex, as published in	
5		Business Wire	
6	Exhibit T-134	E-Mail dated 2/14/02, Day to	141
7		Skold re Procter & Gamble	
8	Exhibit T-135	E-Mail chain dated 2/18/02	141
9		between Day and Skold re Optime	
10	Exhibit T-136	E-Mail chain dated 3/21 through	143
11		5/1, 2002, between Ashley,	
12		Gallagher, Romanowicz and Skold	
13	Exhibit T-137	E-Mail chain dated 4/29 through	145
14		5/3, 2002, between CollaGenex	
15		and Skold re promotion to	
16		Antares Pharma	
17	Exhibit T-138	E-Mail chain dated 10/4 to 10/9,	146
18		2002, between CollaGenex and	
19		Skold re promotion to Fujisawa	
20	Exhibit T-139	E-Mail chain dated 3/7 to 3/10,	146
21		2003, between CollaGenex and	
22		Skold re promotion to Ortho	
23	Exhibit T-141	E-Mail chain dated 10/2 to 10/4,	147
24		2003, between CollaGenex and	
25		Skold re promotion to Cardinal	

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1	E X H I B I T S C O N T I N U E D	
2	SKOLD DEPOSITION EXHIBIT	PAGE
3	Exhibit T-142 E-Mail chain dated 9/18 to	148
4	10/24, 2003, between CollaGenex	
5	and Skold re promotion to	
6	Novartis	
7	Exhibit T-144 Pages 1-3, 5-6, and 10 of	149
8	meeting program of American	
9	Contact Dermatitis Society,	
10	2/17/05	
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1 MR. JACKSON: This is, as you guys know,  
2 the matter of Thomas Skold versus Galderma  
3 Laboratories, Inc. We're meeting here to have a  
4 follow-up deposition of Thomas Skold. I'm appearing  
5 here, Arthur Jackson. You're not introduced yet to  
6 Bruce Clark, who is here with me.

7 MR. CLARK: Hello, everyone.

8 MR. JACKSON: And since we're not in the  
9 same room, just out of courtesy I should mention that  
10 our reporter is David Levy. All right. So I'm going  
11 to go right to it.

12 T H O M A S S K O L D , appearing telephonically,  
13 having been duly sworn by the Notary Public,  
14 was examined and testified as follows:

15 MR. ROCHFORD: And before we begin the  
16 questions, let me note the appearances for respondent  
17 Galderma; myself, Richard Rochford. With me are my  
18 colleagues, Joe Lawlor and Lisa Congleton.

19 DIRECT EXAMINATION

20 BY MR. JACKSON:

21 Q. Thomas --

22 A. Yes.

23 Q. -- let's proceed with, as we present to  
24 the reporter, Trial Exhibit T-4.

25 EXH (Trial Exhibit T-4, letter dated

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1 11/27/09, Cassady to Skold, Bates numbered TS-000046  
2 and 47, marked for identification, as of this date.)

3 Q. Which you should be able to see on your  
4 screen.

5 A. I do.

6 Q. Could you read the highlighted portion?

7 A. "Pursuant to paragraph 8.2 of the August  
8 19th, 2004 assets purchase and product development  
9 agreement between you and Galderma Laboratories,  
10 Inc., please accept this letter as formal notice that  
11 Galderma is terminating the agreement effective  
12 November 27th, 2009."

13 Q. In your prior -- in the exhibit that we  
14 presented last time, ~~T-140~~ T-145, it was identified as a  
15 November 27, 2009, notification of termination from  
16 Galderma to Thomas Skold; is that an accurate  
17 description?

18 A. That is correct.

19 MR. JACKSON: Oh, and I have one other  
20 thing. Bear with me, folks.

21 (A pause in the proceedings.)

22 MR. ROCHFORD: Let me note our objection  
23 to this procedure of reading ostensibly from the  
24 exhibit. It was our understanding that the sole  
25 purpose of this deposition, based on the December

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1 19th order of the Interlocutory Attorney, was to  
2 offer, or let me state it correctly, was to introduce  
3 the disputed documents. I think simply  
4 authenticating the document is what's required here  
5 today, rather than getting into the substance of any  
6 of the documents. And we see that as beyond the  
7 scope of this proceeding.

8                   So let me add another preliminary  
9 comment while I have the floor. At the November  
10 depositions, a number of exhibits were specifically  
11 identified on the record by petitioner. On behalf of  
12 Respondent Galderma, we noted that we had objections  
13 to a number of those exhibits that we would assert  
14 and argue to the board at the proper juncture. In  
15 light of today's special purpose deposition which, as  
16 I indicated is for the sole purpose of introducing  
17 documents not specifically identified at the November  
18 Skold deposition, we'll state our objections on the  
19 record, simply noting that it calls for our  
20 objection. Obviously argument will be reserved until  
21 appropriate.

22               Q.       Thomas --

23               A.       Yes.

24               Q.       -- is Exhibit T-4 a true copy of the  
25 document as found in your files?

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1 A. Yes, it is.

2 Q. And is that Exhibit, was it stored in  
3 the ordinary course of business as you do with  
4 comparable business documents?

5 A. Yes, I do. Yes.

6 Q. Turning to Exhibit T-5 --

7 MR. ROCHFORD: Note our relevance  
8 objection to Exhibit T-4.

9 EXH (Trial Exhibit T-5, 2/22/10 assignment  
10 of patent estate from Galderma to Skold Bates  
11 numbered TS-000048 and 49, marked for identification,  
12 as of this date.)

13 Q. Turning to T-5, that was identified in  
14 Exhibit T-145 as a February 22nd, 2010 assignment of  
15 patent estate from Galderma to Thomas Skold.

16 Is that an accurate description?

17 A. It is, signed by Quintin Cassady and  
18 myself.

19 Q. Is that a true copy of the document as  
20 found in your files?

21 A. Yes, it is.

22 Q. Did you store the document in the  
23 ordinary course of business as you do with  
24 comparable, important business documents?

25 A. Yes. Correct.

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1 Q. Turning to Exhibit T-10 --

2 MR. ROCHFORD: Note our relevance  
3 objection to Exhibit T-5.

4 MR. CLARK: Aren't relevance objections,  
5 aren't those preserved? Do you need to say that for  
6 each exhibit?

7 MR. ROCHFORD: I'm going to, in light of  
8 this special proceeding, argue that they are  
9 preserved. It's just for clarity's sake, we're going  
10 to make a brief note of each objection as I've done  
11 so far.

12 EXH (Trial Exhibit T-10, e-mail dated  
13 10/22/02, Kennedy to Skold, Bates numbered  
14 SKOLD-000013, marked for identification, as of this  
15 date.)

16 Q. Turning to Exhibit T-10, that was  
17 identified in Exhibit president T-145 as an October  
18 22nd, 2002 e-mail from Sheila Kennedy of CollaGenex  
19 to Thomas Skold concerning promotional activity.

20 Is that an accurate description, Thomas?

21 A. Yes, it is.

22 Q. Is that a true copy of the document as  
23 found in your files?

24 A. Yes, it is.

25 Q. Was the document stored in the

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1 ordinary -- did you store the document in the  
2 ordinary course of business as you do with comparable  
3 business documents?

4 A. Yes, I did.

5 Q. Could you read the highlighted text?

6 MR. ROCHFORD: We object to reading any  
7 substantive portion of any exhibit.

8 MR. JACKSON: Can we stipulate that each  
9 time we do that, that you object to it?

10 MR. ROCHFORD: Absolutely.

11 MR. JACKSON: Okay, great.

12 Q. Thomas, could you read?

13 A. Yes. --

14 MR. ROCHFORD: No, you're not going to  
15 have him reading exhibits, Arthur. If you want to  
16 call the Interlocutory Attorney, you can. But you're  
17 just identifying. You're not getting in any  
18 substantive statements from the exhibit.

19 MR. JACKSON: I'm going to go off the  
20 record for a moment and sidebar.

21 (Discussion off the record.)

22 MR. JACKSON: We're back on the record,  
23 too.

24 MR. ROCHFORD: Okay, let me note our  
25 global objection to e-mails such as Exhibit T-10 so

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1 where the print header is not visible. That will be  
2 a global objection which I won't repeat for all  
3 e-mails that are proper that do not have visible  
4 header information, thus raising questions about its  
5 authenticity. Also note our hearsay and relevance  
6 objections to T-10.

7 MR. JACKSON: All right, noted.

8 EXH (Trial Exhibit T-13, draft amendments to  
9 agreement attached to SKOLD-000036, Bates numbered  
10 SKOLD-000037 through 50, marked for identification,  
11 as of this date.)

12 Q. Thomas, turning to Exhibit T-13, this  
13 was identified in Exhibit T-145 as draft amendments  
14 to agreement attached to SKOLD-000036, which happens  
15 to be Trial Exhibit T-12.

16 Is this document a true copy of the  
17 document as found in your files?

18 A. That is correct.

19 Q. Was it stored in the ordinary course of  
20 business as you do with comparable, important  
21 business documents?

22 A. Absolutely.

23 Q. And does the description I read match  
24 your recollection?

25 A. Could you, when you say "the

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1 description," could you repeat that for me?

2 Q. "Draft amendments to agreement attached  
3 to SKOLD-000036."

4 A. That's correct. This was the first  
5 draft that came out of probably ten, fifteen, until  
6 the September 2004 agreement was signed.

7 Q. Okay.

8 MR. ROCHFORD: We note our objection to  
9 T-13 on authentication, best evidence and relevance  
10 grounds.

11 Q. Thomas, is that document that we just  
12 discussed, T-13, 24 pages?

13 A. Yes.

14 MR. JACKSON: Bear with me. I think  
15 it's actually 14.

16 Q. Could we run through it again, Thomas?

17 A. Let me just run...

18 (A pause in the proceedings.)

19 A. It's supposed to be 14 pages.

20 Q. Yes. And are all pages a true copy of  
21 the document as found in your records?

22 A. Yes.

23 EXH (Trial Exhibit T-14, e-mail chain dated  
24 7/10/04 to 7/12/04, Day to Skold, Bates numbered  
25 SKOLD-000051, marked for identification, as of this



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1 date.)

2 Q. Turning to Trial Exhibit 14, that was  
3 identified in Exhibit T-145 as a July 10th to July  
4 12th, 2004 e-mails from Jeff Day of Collagenex to  
5 Thomas Skold on promotions to Therapeutics, Inc.

6 Is that an accurate description?

7 A. Yes, it's a communication between Jeff  
8 Day and Dan Piacquadio from Therapeutics, Inc., and  
9 later on to myself.

10 Q. Is that a true copy of the document as  
11 found in your records, in your files?

12 A. Yes.

13 Q. Is the document stored in the ordinary  
14 course of business as you do comparable, important  
15 business documents?

16 A. Yes.

17 Q. Does the document comprise two pages and  
18 are all of them a true copy of the document as found  
19 in your business records?

20 A. That is correct.

21 MR. ROCHFORD: Note our objection to  
22 T-14. We have a global objection, which I won't  
23 repeat, that all e-mails that contain an e-mail  
24 header of Arthur Jackson, such as T-14, we have a  
25 global objection to on the basis of authentication

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1       that it is unclear what the provenance and chain of  
2       custody of those documents and their reliability  
3       might be. We also have a relevance, hearsay  
4       objection to T-14.

5                   MR. JACKSON: We note your objection on  
6       the header and we assume that we don't need to repeat  
7       it.

8       EXH                   (Trial Exhibit T-16, e-mail exchange  
9       dated 10/4/04 between CollaGenex and Skold, Bates  
10      numbered SKOLD-000054, marked for identification, as  
11      of this date.)

12           Q.       Thomas, turning to Exhibit T-16, that  
13      was noted in Exhibit T-145 as an October 4, 2004  
14      e-mails between CollaGenex and Thomas Skold on the  
15      use of "Restoraderm."

16                   Is that an accurate description, Thomas?

17           A.       Yes, it is.

18           Q.       Is the one page of this document a true  
19      copy of the document as found in your files?

20           A.       It is.

21                   MR. ROCHFORD: Object to T-16 on  
22      relevance and hearsay grounds.

23           Q.       Was the exhibit stored in the ordinary  
24      course of business? Did you store it in the ordinary  
25      course of business as you do comparable, important

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1 business documents, Thomas?

2 A. Yes, I --

3 Q. Mr. Skold?

4 A. Yes.

5 Q. It comprises just this one page, right?

6 A. That is correct.

7 EXH (Trial Exhibit T-17, e-mail dated  
8 12/15/05, Greg Ford to Skold, Bates numbered  
9 SKOLD-000057, marked for identification, as of this  
10 date.)

11 Q. Turning to Exhibit T-17, which is  
12 identified in Exhibit T-145 as the December 15th,  
13 2005 G. Ford of CollaGenex to Thomas Skold on  
14 promotions, is that an accurate description?

15 A. It is, correct.

16 Q. Its one page is a true copy of the  
17 document as found in your files?

18 A. Yes, it is.

19 Q. And the document, you stored the  
20 document in the ordinary course of business as you do  
21 comparable, important business documents?

22 A. Yes, I did.

23 Q. Great.

24 MR. ROCHFORD: We object to T-17 on  
25 relevance and hearsay grounds.

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1 EXH (Trial Exhibit T-18, e-mail dated  
2 2/27/06, Zerler to Skold, with attachment, Bates  
3 numbered SKOLD-000058 through 60, marked for  
4 identification, as of this date.)

5 Q. Turning to Exhibit T-18, that was  
6 described in Exhibit T-145 as a February 27th, 2006  
7 B. Zerler of CollaGenex to Thomas Skold on  
8 formulation stability (with attached data).

9 Is that an accurate description?

10 A. Yes, it is.

11 Q. Does the document comprise three pages  
12 with its attachments?

13 A. Yes, it does.

14 Q. Is the document a true copy of the  
15 document as found in your files?

16 A. Yes, it is.

17 Q. Did you store the document in the  
18 ordinary course of business as you do comparable,  
19 important business documents?

20 A. Yes, I did.

21 MR. ROCHFORD: We object to T-18 on  
22 hearsay, relevance and best evidence grounds.

23 EXH (Trial Exhibit T-19, letter dated  
24 7/7/06, Wiggin & Dana LLP to CollaGenex, Bates  
25 numbered SKOLD-000061 through 63, marked for

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1 identification, as of this date.)

2 Q. Turning to Exhibit T-19, that was  
3 described in Exhibit T-145 as a July 7th, 2006 Wiggin  
4 & Dana (Thomas Skold attorneys) letter to CollaGenex.  
5 Is that an accurate description of the document?

6 A. Yes, it is, based on my frustration that  
7 they could never make up their mind on what they  
8 wanted to do with the technology and what kind of  
9 products they wanted to develop.

10 MO MR. ROCHFORD: We object and move to  
11 strike Mr. Skold's testimony as nonresponsive and  
12 beyond the scope of this deposition.

13 Q. Is Exhibit T-19 a true copy of the  
14 document as found in your files, including all of its  
15 three pages?

16 A. Yes, it is.

17 Q. Did you store the exhibit in the  
18 ordinary course of business as you do comparable,  
19 important business documents?

20 A. Yes, I did.

21 MR. ROCHFORD: We object to T-19 on  
22 relevance and hearsay grounds.

23 EXH (Trial Exhibit T-20, e-mail chain,  
24 6/27/06 to 7/17/06 between Greg Ford and formulator,  
25 cc's to Skold, Bates numbered SKOLD-000064 through

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1 66, marked for identification, as of this date.)

2 Q. Turning to Exhibit T-20, this was  
3 identified in Exhibit T-145 as a June 27 to July 27,  
4 2006 e-mails between Greg Ford of CollaGenex and  
5 formulator, copying Thomas Skold.

6 Is it, in its -- is that an accurate  
7 description, Mr. Skold?

8 A. Yes, it is. It's a communication  
9 between the Swedish Apoteketsbolaget formulator who  
10 manufactured the material and Greg Ford, the business  
11 development manager for CollaGenex.

12 Q. Thomas, could you repeat the name of the  
13 formulator company?

14 A. Swedish Apoteketsbolaget. They are now  
15 referred to as APL but at the time, Swedish  
16 A-p-o-t-e-k-e-t-s-b-o-l-a-g-e-t AB.

17 Q. Is Exhibit T-20, in its three pages, a  
18 true copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Did you store the document in the  
21 ordinary course of business as you do comparable,  
22 important business documents?

23 A. Yes, I did.

24 MR. ROCHFORD: We object on relevance  
25 and hearsay grounds.

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1 EXH (Trial Exhibit T-21, e-mail chain,  
2 7/27/07 to 8/1/07, between Ford and Skold, Bates  
3 numbered SKOLD-000067, marked for identification, as  
4 of this date.)

5 Q. Turning to Exhibit T-21, it's identified  
6 in Exhibit T-145 as a July 27 to August 1, 2007  
7 e-mails between Greg Ford of CollaGenex and Thomas  
8 Skold on promotion activities, activity at American  
9 Academy of Dermatology (AAD) meeting.

10 Is that an accurate description of this  
11 exhibit, Thomas?

12 A. It is. It is a communication between  
13 myself and Greg Ford. At the time, 2007, I was told  
14 that CollaGenex might cease all activities with  
15 Restoraderm technology, and I wanted to see Greg Ford  
16 face to face.

17 MO MR. ROCHFORD: Move to strike  
18 Mr. Skold's testimony as unresponsive and beyond the  
19 scope of this deposition.

20 Q. Is Exhibit T-21 in its two pages a true  
21 copy of the document as found in your files,  
22 Mr. Skold?

23 A. Yes, it is.

24 Q. Did you store the document in the  
25 ordinary course of business as do you comparable,

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1 important business documents?

2 A. Yes, I did.

3 Q. Turning to --

4 MR. ROCHFORD: Object on relevance and  
5 hearsay grounds.

6 Q. -- turning to Exhibit 22, that was  
7 described in Exhibit 145 as January 29, 2008 Wiggin &  
8 Dana (Thomas Skold attorneys) letter to CollaGenex  
9 asserting voluntary termination by CollaGenex of the  
10 2004 agreement.

11 EXH (Trial Exhibit T-22, letter dated  
12 1/29/08, Wiggin & Dana to CollaGenex, Bates numbered  
13 SKOLD-00069 through 70, marked for identification, as  
14 of this date.)

15 Q. Is that an accurate description of the  
16 document, Mr. Skold?

17 A. Would you please repeat, Art?

18 Q. January 29, 2008 Wiggin & Dana (Thomas  
19 Skold attorneys) letter to CollaGenex asserting  
20 voluntary termination by CollaGenex of 2004  
21 agreement.

22 A. Voluntary termination by CollaGenex?

23 Q. By CollaGenex.

24 A. I thought it was me trying to terminate  
25 the agreement.



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1 Q. Ah. Describe the document, Thomas.

2 A. Yes. Since I met with Greg Ford the  
3 summer of 2007, realized that there will be nothing  
4 going on, got it in writing as an e-mail in November  
5 2007, after a meeting with CollaGenex at CollaGenex,  
6 I got to the stage where I saw no other way than  
7 writing this termination letter.

8 MO MR. ROCHFORD: Move to strike  
9 Mr. Skold's testimony on relevance grounds. Also as  
10 nonresponsive and beyond the scope of this  
11 deposition.

12 Q. Is Exhibit T-22 in its two pages a true  
13 copy of the document as found in your files,  
14 Mr. Skold?

15 A. Yes, it is.

16 Q. Did you store the document in the  
17 ordinary course of business as you do comparable,  
18 important business documents?

19 A. Yes, I did.

20 MR. ROCHFORD: We object to T-22 on  
21 relevance and hearsay grounds.

22 EXH (Trial Exhibit T-23, e-mail chain dated  
23 9/1/08 between Samira and Skold, with attachment,  
24 Bates numbered SKOLD-000071 through 74, marked for  
25 identification, as of this date.)

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1 Q. Turning to Exhibit T-23, that's  
2 described in Exhibit T-145 as "September 1, 2008  
3 e-mails between S. Samira of Galderma and Thomas  
4 Skold, attaching memo on technology consultation  
5 meeting ('Restoraderm technical meeting')."

6 Is that an accurate description of this  
7 e-mail?

8 A. Yes, it is. And as mentioned in the  
9 November deposition, Samira was, at least at the  
10 time, project manager at the Galderma R&D site in  
11 France.

12 Q. Good. That document, T-23, which  
13 includes the attachment, is four pages, correct?

14 A. Correct.

15 Q. Is it, in its all four pages, a true  
16 copy of the document as found in your files?

17 A. Yes, it is.

18 Q. Did you store the document in the  
19 ordinary course of business as you do comparable,  
20 important business documents?

21 A. Yes, I did.

22 MR. ROCHFORD: We object to T-23 on  
23 relevance and authentication grounds.

24 Q. Thomas --

25 A. Um-hum.

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1 Q. -- staying with Exhibit T-23, can you  
2 confirm that the top header is an artifact of  
3 reproduction?

4 A. Absolutely, of course. Of course it is.

5 Q. You received that e-mail from Ms. Samira  
6 in the substantive form shown, correct?

7 A. As it looks up there, yes.

8 EXH (Trial Exhibit T-24, e-mail chain dated  
9 9/3/08 between Samira and Skold, Bates numbered  
10 SKOLD-000075, marked for identification, as of this  
11 date.)

12 Q. Turning to Exhibit T-24, that was  
13 identified in Exhibit T-145, as September 3rd, 2008  
14 e-mails between S. Samira of Galderma and Thomas  
15 Skold concerning technology.

16 Is that an accurate description?

17 A. Yes, it is.

18 Q. Is it, in its one page, a true copy of  
19 the document as found in your records, in your files?

20 A. Yes, correct.

21 Q. Was the document stored in the ordinary  
22 course of business as you do comparable, important  
23 business documents?

24 A. Yes, it was.

25 Q. Did you receive the document in its

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1 substance from, by e-mail from Ms. Samira?

2 A. That is correct.

3 Q. Is the top header on the document an  
4 artifact of reproduction?

5 A. Yes, it is.

6 MR. ROCHFORD: We object to T-24 on  
7 relevance and hearsay grounds.

8 EXH (Trial Exhibit T-25, e-mail chain dated  
9 9/1 through 9/4, 2008, between Samira, Fredon and  
10 Skold, Bates numbered SKOLD-000076 through 78, marked  
11 for identification, as of this date.)

12 Q. Turning to Exhibit T-25, this was  
13 described in Exhibit T-145 as September 1 to  
14 September 4, 2008 e-mails between S. Samira of  
15 Galderma and L. Fredon of Galderma and Thomas Skold  
16 concerning technology.

17 Is this an accurate description of this  
18 document?

19 A. It is. And Lawrence Fredon is also --  
20 was at least at the R&D facility in the southern  
21 France for Galderma.

22 Q. Is the document in its three pages a  
23 true copy of the document as found in your files?

24 A. That is correct.

25 Q. Did you store the document in the

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1 ordinary course of business as you do comparable,  
2 important business documents?

3 A. Yes, I did.

4 Q. Did you receive an interchange between  
5 these parties, the e-mails as shown in their  
6 substance?

7 A. Yes, that's correct.

8 Q. Is the top header on the document an  
9 artifact of reproduction?

10 A. It is, it is.

11 MR. ROCHFORD: We object to T-25 on  
12 relevance and hearsay grounds.

13 EXH (Trial Exhibit T-26, e-mail dated  
14 9/8/08, Samira to Skold, with attached memo, Bates  
15 numbered SKOLD-000079 through 82, marked for  
16 identification, as of this date.)

17 Q. Turning to Exhibit T-26, that was  
18 described in the Exhibit T-145 as "September 8th,  
19 2008 e-mail between S. Samira of Galderma and Thomas  
20 Skold attaching revised memo on technology  
21 consultation meeting ('Restoraderm technical  
22 meeting')."

23 Is that an accurate description of the  
24 document?

25 A. Yes, it is.

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1 Q. Does the document, with its attached  
2 meeting agenda, comprise four pages?

3 A. Yes, it does.

4 Q. Is it a true copy of the document as  
5 found in your files?

6 A. It is, correct.

7 Q. Did you store the document in the  
8 ordinary course of business as you do comparable,  
9 important business documents?

10 A. Yes, I did.

11 Q. Did you receive --

12 MR. ROCHFORD: We object to -- sorry.  
13 Go ahead, Arthur.

14 Q. Did you receive the document by e-mail  
15 from Ms. Samira?

16 A. Yes, I did.

17 Q. Is the top header on the document an  
18 artifact of reproduction?

19 A. Yes, it is.

20 MR. JACKSON: Go ahead, Richard.

21 MR. ROCHFORD: We object to T-26 on  
22 relevance and authentication grounds.

23 EXH (Trial Exhibit T-28, e-mail dated  
24 12/1/09, Skold to DeBruyne, Bates numbered  
25 SKOLD-000086, marked for identification, as of this

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1 date.)

2 Q. Turning to Exhibit T-28, which is  
3 described in Exhibit T-145 as, "December 1, 2009  
4 e-mail between Thomas Skold and C. DeBruyne of  
5 Galderma, on post-breakup marketing of Restoraderm."  
6 Thomas, is that an accurate description of the  
7 document?

8 A. Yes, it is.

9 Q. Is the document in its one page a true  
10 copy of the document as found in your files?

11 A. Yes, that's correct.

12 Q. Did you store the document in the  
13 ordinary course of business as you do comparable,  
14 important business documents?

15 A. Yes, I did.

16 MR. ROCHFORD: We object to T-28 on  
17 relevance grounds.

18 EXH (Trial Exhibit T-29, e-mail chain dated  
19 1/27 through 2/8, 2010, Between Wallace and Skold,  
20 Bates numbered SKOLD-000087 through 88, marked for  
21 identification, as of this date.)

22 Q. Turning to Exhibit T-29, that -- it will  
23 note, Thomas, the description that was made in  
24 Exhibit T-145, a January 27 to February 8th, 2010  
25 e-mails between J. Wallace of Galderma and Thomas

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1 Skold on material returns.

2 Is that an accurate description of this  
3 exhibit?

4 A. Yes, they are returning Restoraderm  
5 products back to me.

6 Q. Is the exhibit in its two pages a true  
7 copy of the document as found in your files?

8 A. That is correct.

9 Q. Did you store the document in the  
10 ordinary course of business as do you comparable,  
11 important business documents?

12 A. Yes. Yes, I did.

13 MR. ROCHFORD: We object to T-29 on  
14 relevance grounds.

15 EXH (Trial Exhibit T-30, e-mail chain dated  
16 5/21 through 5/29, 2007, between Skold and [REDACTED],  
17 Bates numbered SKOLD-000096 through 98, marked for  
18 identification, as of this date.)

19 Q. Turning to Exhibit T-30, let's note that  
20 the the description in Exhibit T-145 was May 21 to  
21 29, 2007 e-mails between Thomas Skold and [REDACTED]  
22 discussing promotion to [REDACTED] Is that an accurate  
23 description of the document?

24 A. That is correct. The same week as I met  
25 Greg Ford in New York, summer of 2007.



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1 Q. Is it, in its four pages, a true copy of  
2 the document as found in your files?

3 A. Yes, it is.

4 Q. Did you store the document in the  
5 ordinary course of business as you do comparable,  
6 important business documents?

7 A. Yes, I did.

8 MR. ROCHFORD: We object to T-30 on  
9 relevance and hearsay grounds.

10 EXH (Trial Exhibit T-31, e-mail chain dated  
11 7/24/08 between Skold and [REDACTED] Bates numbered  
12 SKOLD-000100, marked for identification, as of this  
13 date.)

14 Q. Turning to Exhibit T-31, note that this  
15 was described in Exhibit T-145 as "24 July 2008  
16 e-mails between Thomas Skold and [REDACTED] discussing  
17 business block imposed by Galderma."

18 Is that an accurate description of the  
19 document?

20 A. That is correct.

21 Q. Is the document in its one page a true  
22 copy of the document as found in your files?

23 A. Yes, it is.

24 Q. Was the document stored in the ordinary  
25 course of business as you do comparable, important

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1 business documents?

2 A. Yes, it was.

3 MR. ROCHFORD: We object to T-31 on  
4 relevance and hearsay grounds.

5 MR. JACKSON: Just slightly off the  
6 record...

7 (Discussion off the record.)

8 EXH (Trial Exhibit T-32, e-mail dated  
9 8/1/07, [REDACTED] and Skold, Bates numbered  
10 SKOLD-000101, marked for identification, as of this  
11 date.)

12 Q. Returning back to the record, thank you  
13 for indulging me, turning to Exhibit T-32, this was  
14 described in Exhibit T-145 as, "August 1, 2007 e-mail  
15 [REDACTED] Thomas Skold, dermatology  
16 products to [REDACTED] represented by  
17 [REDACTED]

18 Obviously, Thomas, amending that to --  
19 no, no, that's fine. Thomas, Mr. Skold, is that an  
20 accurate description of the document?

21 A. Um -- yes, it is. [REDACTED]

[REDACTED]  
[REDACTED], suggested that I and [REDACTED]  
24 would get together to discuss.

25 Q. Is the document in its one page a true

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1 copy of the document that's found in your files?

2 A. Yes, it is.

3 Q. Did you store the document in the  
4 ordinary course of business as you do comparable,  
5 important business documents?

6 A. Yes, I did.

7 MR. ROCHFORD: We object to T-32 on  
8 relevance and hearsay grounds.

9 EXH (Trial Exhibit T-33, e-mail chain dated  
10 8/24/07 between [REDACTED] and Skold, Bates numbered  
11 SKOLD-000102, marked for identification, as of this  
12 date.)

13 Q. Turning to Exhibit T-33, that's  
14 described in Exhibit T-145 as, "August 24, 2007  
15 e-mails between [REDACTED] and Thomas  
16 Skold in follow-up to a promotion meeting."

17 Is that an accurate description of that  
18 document, Thomas -- Mr. Skold?

19 A. It is. [REDACTED] at the time was  
20 the CCO of [REDACTED] and he wanted me to clear a few  
21 things out with Greg Ford at CollaGenex before we  
22 went on the discussion -- with the discussion.

23 Q. Is the document in its two pages a true  
24 copy of the document as found in your files,  
25 Mr. Skold?

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1 A. That is correct.

2 Q. Did you store the document in the  
3 ordinary course of business as you do comparable,  
4 important business documents?

5 A. Yes, I did.

6 MO MR. ROCHFORD: Note our objection to  
7 T-33 on relevance and hearsay grounds.

8 We also move to strike Mr. Skold's  
9 testimony regarding clearing things out with  
10 CollaGenex on relevance grounds and beyond the scope  
11 of this deposition.

12 EXH (Trial Exhibit T-34, set of PowerPoint  
13 slides on mucosal form of Restoraderm technology,  
14 Bates numbered SKOLD-000104 through 116, marked for  
15 identification, as of this date.)

16 Q. Turning to Exhibit T-34, that was  
17 described in Exhibit T-145 as a PowerPoint on mucosal  
18 form of Restoraderm technology that was attached to  
19 an e-mail, to the e-mail to Skold that has been  
20 marked Skold 000102 to 103, and attached to the  
21 e-mail marked SKOLD-000117 to 118.

22 Is that an accurate description of the  
23 document, Mr. Skold?

24 A. Yes, it is. At the time, I didn't see  
25 that I was in a position to send them the Restoraderm

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1 technology presentation since I hadn't cleared things  
2 out with Greg Ford and CollaGenex. I sent them a  
3 LiPoint presentation instead, who is very similar but  
4 focusing on intranasal and oral delivery, rather than  
5 topical delivery.

6 MR. ROCHFORD: Object on relevance  
7 grounds and beyond the scope of this deposition.

8 Q. Is the document in its 13 pages a true  
9 copy of the document as found in your files?

10 A. Yes, it is.

11 Q. Did you store the document in the  
12 ordinary course of business as do you comparable,  
13 important business documents?

14 A. Yes, I did.

15 MR. ROCHFORD: We object to T-34 -- I'm  
16 getting an echo from your end, I'm not sure why, but  
17 we object to T-34 on relevance, authentication and  
18 hearsay grounds.

19 Q. Thomas --

20 A. Yes?

21 Q. -- staying with Exhibit T-34 for a  
22 moment --

23 A. Um-hum.

24 Q. -- who prepared that document?

25 A. I did.

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1 Q. The PowerPoint, right?

2 A. Yes.

3 EXH (Trial Exhibit T-35, e-mail chain dated  
4 8/3 to 8/4, 2008, between [REDACTED] and Skold, Bates  
5 numbered SKOLD-000117, marked for identification, as  
6 of this date.)

7 Q. Turning next to Exhibit T-35, that was  
8 described in Exhibit T-145 as "August 3 to 4, 2007  
9 e-mails between [REDACTED] and Thomas  
10 Skold in follow-up to promotion meeting with an  
11 indication of business block provided by impact with  
12 CollaGenex."

13 Is this an accurate description of the  
14 document?

15 A. Yes, it is, as a follow-up and, on the  
16 previous e-mail, they wanted to get some clarity  
17 before we could move on with the discussion.

18 Q. Is the document in its two pages a true  
19 copy of the document as found in your files?

20 A. Yes, it is.

21 Q. Was the document stored in the ordinary  
22 course of business as you do comparable, important  
23 business documents?

24 A. Yes, it was.

25 MR. ROCHFORD: We object to T-35 on

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1 relevance and hearsay grounds.

2 EXH (Trial Exhibit T-36, business plan on  
3 mucosal form of Restoraderm technology, Bates  
4 numbered SKOLD-000119 through 162, marked for  
5 identification, as of this date.)

6 Q. Turning to Exhibit T-36, that was  
7 described in Exhibit T-145 as, "Business plan on  
8 mucosal form of the Restoraderm technology attached  
9 to the e-mail marked SKOLD-000117-18."

10 Is that an accurate description of the  
11 document, Mr. Skold?

12 A. That is correct.

13 MO MR. ROCHFORD: We object and move to  
14 strike. There's nothing in this document relating to  
15 the term "Restoraderm."

16 Q. Is the document, Mr. Skold, in its 40  
17 pages, a true copy of the document as found in your  
18 files?

19 A. Yes, it is.

20 Q. Who prepared the document?

21 A. Myself and Rob Ashley, a former founder  
22 of CollaGenex.

23 Q. Did you store the document in the  
24 ordinary course of business as you do comparable,  
25 important business documents?

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1 A. Yes, I did.

2 MR. ROCHFORD: We object to T-36 on  
3 relevance, hearsay and authentication grounds.  
4 EXH (Trial Exhibit T-37, spreadsheet  
5 attached to e-mail of SKOLD-000117-18, not Bates  
6 numbered, marked for identification, as of this  
7 date.)

8 Q. Turning to Exhibit T-37, that's  
9 described in Exhibit T-145 as "spreadsheet attached  
10 to e-mail of SKOLD-000117-18." Is that an accurate  
11 description of the document, Mr. Skold?

12 A. I need to put my glasses on to see what  
13 it is.

14 Yes. It is.

15 Q. Who prepared the document?

16 A. I cannot recall a hundred percent.

17 Q. Okay. It was prepared by somebody  
18 working in collaboration with you at least, or not,  
19 Mr. Skold?

20 A. That is correct. It was either Rob  
21 Ashley or another person that was involved in the  
22 operation at the time.

23 Q. Is the document in its one page a true  
24 copy of the document as found in your files?

25 A. Yes, that's correct.



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1 Q. Did you store the document in the  
2 ordinary course of business as you do comparable,  
3 important business documents?

4 A. Yes, I did.

5 MR. ROCHFORD: We object to Exhibit T-37  
6 on relevance, hearsay, best evidence and  
7 authentication grounds.

8 EXH (Trial Exhibit T-38, e-mail chain dated  
9 1/7 through 1/13, 2008 between Skold, [REDACTED]  
10 [REDACTED] Bates numbered SKOLD-000164 through 166,  
11 marked for identification, as of this date.)

12 Q. Turning to Exhibit T-38, that was  
13 described in Exhibit T-145 as "January 7 to 13, 2008  
14 e-mails between Thomas Skold, [REDACTED]  
15 on promotion to [REDACTED]."

16 Is that an accurate description of the  
17 document, Mr. Skold?

18 A. That is correct.

19 Q. Is the document in its three pages a  
20 true copy of the document as found in your files?

21 A. Yes, it is.

22 Q. Did you store the document in the  
23 ordinary course of business as you do comparable,  
24 important business documents?

25 A. Yes, I did.

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1 EXH (Trial Exhibit T-39, e-mail chain dated  
2 1/15 through 1/25, 2008, between Skold, [REDACTED]  
3 [REDACTED] Bates numbered SKOLD-000167 through 169,  
4 marked for identification, as of this date.)

5 Q. Turning to Exhibit T-39, that was  
6 described in Exhibit T-145 as, "January 15 to 25,  
7 2008 e-mails between Thomas Skold, [REDACTED]  
8 [REDACTED] )."

9 Is that an accurate description of the  
10 document, Mr. Skold?

11 A. That is correct.

12 Q. Is the document in its three pages a  
13 true copy of the document as found in your files?

14 A. Yes, it is.

15 Q. Did you store the document in the  
16 ordinary course of business as you do comparable,  
17 important business documents?

18 A. Yes, I did.

19 MR. ROCHFORD: We object to T-39 on  
20 relevance and hearsay grounds.

21 EXH (Trial Exhibit T-40, e-mail chain dated  
22 3/3/10, Skold to distribution, Bates numbered  
23 SKOLD-000170 through 194, marked for identification,  
24 as of this date.)

25 Q. Turning to Exhibit T-40, that was

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1 described in Exhibit T-145 as, "March 3, 2010 e-mails  
2 sending promotional material (with attachments) to  
3 [REDACTED] including an FDA meeting report from 2004 on  
4 [REDACTED] Restoraderm product and the 'Restoraderm  
5 development report of February 30, 2005.'"

6 There must be a mistake there.

7 MR. ROCHFORD: We object to that  
8 characterization of the exhibit.

9 Q. Thomas --

10 A. Yes?

11 Q. -- other than the probable error on the  
12 date of the development report, is that an accurate  
13 description of the document?

14 A. This is an e-mail from myself to various  
15 managers and directors at [REDACTED] reviewing  
16 various products, but [REDACTED] had an interest in a  
17 certain product that we were working on -- we were  
18 working on with CollaGenex, [REDACTED] and  
19 therefore, the attachment re FDA meeting report has a  
20 different date on it, yes.

21 Q. And the document includes a formulation  
22 development report, is that correct?

23 A. That's correct.

24 Q. Who prepared that formulation --

25 A. Myself -- myself and Mats Silvander.

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1 Q. S-i-l-v-a-n-d-e-r. And Mats is M-a-t-s.

2 A. Who at the time was on my payroll.

3 Q. Is this document in its 25 pages a true  
4 copy of the document as found in your files?

5 A. That is correct.

6 Q. Did you store the document in the  
7 ordinary course of business as you do comparable,  
8 important business documents?

9 A. Yes, I did.

10 MR. ROCHFORD: We object to T-40 on  
11 relevance, hearsay and authentication grounds.

12 Q. Thomas --

13 A. Yes.

14 Q. -- describe the FDA meeting report and  
15 how it was prepared.

16 A. I first should then say that the  
17 formulation development report that we just talked  
18 about that was produced by Mats Silvander and myself  
19 for CollaGenex to use at a meeting with the FDA to  
20 discuss how to move forward on the [REDACTED]  
21 product.

22 Q. And did the FDA meeting report -- who  
23 prepared that?

24 A. I do not know who prepared it. In the  
25 first page, "FDA Meeting Report," one can see who was

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1 at the meeting. So the sponsors, presenters, were  
2 our people from CollaGenex at the time, Chris Powala,  
3 John McPartland and Klaus Theobald, and then they had  
4 some consultants with them as well.

5 So I cannot tell you who prepared the  
6 document, if it was FDA people, their consultants, or  
7 even CollaGenex people.

8 Q. Did you receive the report from  
9 CollaGenex?

10 A. Yes, I did.

11 EXH (Trial Exhibit T-41, e-mail chain dated  
12 9/11 through 3/17, 2010, between Skold and [REDACTED]  
13 [REDACTED], Bates numbered SKOLD-000195, marked for  
14 identification, as of this date.)

15 Q. Turning to Exhibit T-41, that's  
16 described in Exhibit T-145 as, "September 11 to March  
17 17, 2010 e-mails between Thomas Skold and [REDACTED]  
18 [REDACTED] promoting Restoraderm technology."

19 Is that description accurate, Mr. Skold?

20 MR. ROCHFORD: We object to the  
21 characterization of this exhibit.

22 A. It's an e-mail from Eric Fleming,  
23 [REDACTED] stating that they  
24 VB will review the Restoraderm technology -- it does say  
25 ~~EB~~, but that's their internal reference for my

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1 technology -- in a more detailed way in the coming  
2 weeks, yes.

3 Q. Is the document a true copy of the  
4 document as found in your files?

5 A. Absolutely.

6 Q. Did you save the document in the  
7 ordinary course of business as do you comparable,  
8 important business documents?

9 A. Yes, I did.

10 MR. ROCHFORD: We object to T-41 on  
11 relevance and hearsay grounds.

12 EXH (Trial Exhibit T-42, e-mail chain dated  
13 8/19 to 8/22, 2011, between [REDACTED] Skold, Bates  
14 numbered SKOLD-000197, marked for identification, as  
15 of this date.)

16 Q. Turning to Exhibit T-42, that was  
17 described in Exhibit T-145 as, "August 19th to 22nd,  
18 2011 e-mails between [REDACTED] Thomas Skold on  
19 promotion to [REDACTED]."

20 Is that an accurate description of the  
21 document, Mr. Skold?

22 A. I don't, it is. [REDACTED] on to  
23 [REDACTED] and it started up with him  
24 calling me and saying that there might be some  
25 interest from [REDACTED] in reviewing certain products

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1 and this is an e-mail --

2 MO MR. ROCHFORD: Move to strike that  
3 testimony as not relevant and beyond the scope of  
4 this deposition.

5 Q. Regardless of -- for Mr. Levy's benefit,  
6 what was the last phrase that you used, Thomas?

7 A. As a follow-up, this is an e-mail as a  
8 follow-up from his telephone call.

9 Q. Is the document in its one page a true  
10 copy of the document as found in your files?

11 A. Yes, it is.

12 Q. Did you store the document in the  
13 ordinary course of business as you do comparable,  
14 important business documents?

15 A. Yes, I did.

16 MR. ROCHFORD: We object to T-42 on  
17 relevance and hearsay grounds.

18 EXH (Trial Exhibit T-43, e-mail chain dated  
19 8/29/11 between Skold and [REDACTED] Bates  
20 numbered SKOLD-000198, marked for identification, as  
21 of this date.)

22 Q. Turning to Exhibit T-43, that was  
23 described in Exhibit T-145 as August 29, 2011 e-mails  
24 between Thomas Skold and [REDACTED] on  
25 promotion.

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1                   Is that an accurate description of the  
2 document, Mr. Skold?

3                   A.       Um -- partly. It's -- it's through  
4 [REDACTED] but also through [REDACTED], who has  
5 some kind of an entity to get it as a joint venture.

6 So → ~~Is~~ it's a [REDACTED] communication TS  
7 with myself about partnering up on certain products.

8                   Q.       Is the document in its two pages a true  
9 copy of the document as found in your files?

10                  A.       Yes, it is.

11                  Q.       Did you store the document in the  
12 ordinary course of business as you do comparable,  
13 important business documents?

14                  A.       Yes, I did.

15                         MR. ROCHFORD: We object to T-43 on  
16 relevance and hearsay grounds.

17 EXH                   (Trial Exhibit T-44, e-mails dated 12/13  
18 to 12/15, 2011, between Skold and [REDACTED]  
19 [REDACTED], Bates numbered SKOLD-0000200, marked  
20 for identification, as of this date.)

21                  Q.       Turning to Exhibit T-44, that was  
22 described in Exhibit T-145 as "December 13 to 15,  
23 2011 e-mails between Thomas Skold and [REDACTED]  
24 [REDACTED] on promotion."

25                         Is that an accurate description of the



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1 document, Mr. Skold?

2 A. Yes, it is. I have it as T-44, is that  
3 correct?

4 Q. It is T-44?

5 A. T-44, yes, it is. And it's from [REDACTED]  
[REDACTED] the business development manager for  
7 [REDACTED], [REDACTED]  
[REDACTED].

9 Q. Is the document in its one page a true  
10 copy of the document as found in your files?

11 A. Yes, it is.

12 Q. Did you store the document in the  
13 ordinary course of business as you do comparable,  
14 important business documents?

15 A. Yes, I did.

16 MR. ROCHFORD: We object is to T-44 on  
17 relevance and hearsay grounds.

18 EXH (Trial Exhibit T-45, e-mail chain dated  
19 11/29/07 between Ford and Skold, Bates numbered  
20 SKOLD-000606, marked for identification, as of this  
21 date.)

22 Q. Turning to Exhibit T-45, that was  
23 described in Exhibit T-145 as "November 29, 2007  
24 e-mails between Greg Ford of CollaGenex and Thomas  
25 Skold on CollaGenex deciding to divest Restoraderm."

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1                   Is that an accurate description of the  
2 document, Mr. Skold?

3                   A.       I saw it more as a confirmation that  
4 they would not develop anything based on Restoraderm  
5 technology themselves, and it was a confirmation of  
6 our meeting in the summer of 2007. This was the  
7 first I heard or got in writing from them in this  
8 regards.

9                   Q.       Is the e-mail document a true copy of  
10 the document in its one page as found in your files?

11                  A.       Yes, it is.

12                  Q.       Did you store the document in the  
13 ordinary course of business as you do comparable,  
14 important business documents?

15                  A.       Yes, I did.

16                         MR. ROCHFORD: We object to T-45 on  
17 relevance grounds.

18 EXH                   (Trial Exhibit T-46, letter dated  
19 2/12/08, CollaGenex to Wiggin & Dana, Bates numbered  
20 SKOLD-000658 through 663, marked for identification,  
21 as of this date.)

22                  Q.       Turning to Exhibit T-46, this was  
23 described in Exhibit T-145 as "February 12, 2008  
24 CollaGenex response letter to Wiggin & Dana on Thomas  
25 Skold's notice of termination."

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1                   Is this an accurate description of the  
2           document?

3                   A.       This is CollaGenex response upon my  
4           termination letter that they could not accept my  
5           termination letter, also bragging about doing such a  
6           good job with trademarks and Restoraderm. Correct.

7           MO               MR. ROCHFORD: We move to strike the  
8           response as nonresponsive, irrelevant, and beyond the  
9           scope of this deposition.

10                  Q.       Did you receive this, a copy of this  
11           letter from your attorneys at Wiggin & Dana,  
12           Mr. Skold?

13                  A.       I got it as a copy from Wiggin & Dana  
14           but also as an e-mail I recall from CollaGenex  
15           directly.

16                  Q.       Is Exhibit T-46 in its six pages a true  
17           copy of the document as found in your files?

18                  A.       Yes, it is.

19                  Q.       Did you store the document in the  
20           ordinary course of business as you do comparable,  
21           important business documents?

22                  A.       Yes, I did.

23                  MR. ROCHFORD: We object to T-46 on  
24           relevance grounds.

25           EXH               (Trial Exhibit T-47, set of PowerPoint

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1 presentation slides, Bates numbered SKOLD-000872  
2 through 891, marked for identification, as of this  
3 date.)

4 Q. Turning to Exhibit T-47, this is  
5 described in Exhibit T-145 as, "PowerPoint  
6 presentation on Restoraderm, including the CollaGenex  
7 logo."

8 Is this an accurate description of the  
9 document?

10 A. Yes, this is a presentation and overview  
11 of Restoraderm technology that myself and people from  
12 CollaGenex put together.

13 Q. You were provided with a copy by  
14 CollaGenex. Were you provided with a copy by  
15 CollaGenex?

16 A. Yes, I was.

17 Q. Is the presentation in its 19 pages a  
18 true copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Did you store the document in the  
21 ordinary course of business as you do comparable,  
22 important business documents?

23 A. Yes, I have.

24 MR. ROCHFORD: We object to T-47 on  
25 authentication grounds, given that it is an undated

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1 document.

2 Q. Thomas, do you recall when that  
3 PowerPoint presentation was put together, what time  
4 frame?

5 A. I would not be able to say for sure.  
6 But I would imagine 2003.

7 EXH (Trial Exhibit T-48, e-mail dated  
8 2/14/07, Jeff Day to Skold, Bates numbered  
9 SKOLD-001023, marked for identification, as of this  
10 date.)

11 Q. Turning to Exhibit T-48, that's  
12 described in Exhibit T-145 as a February 14th, 2007  
13 Jeff Day of CollaGenex e-mail to Thomas Skold seeking  
14 technical advice regarding promotion to Procter &  
15 Gamble.

16 Is that an accurate description of the  
17 document, Mr. Skold?

18 A. That's correct.

19 Q. Is the document in its one page a true  
20 copy of the document as found in your files?

21 A. Yes, it is.

22 Q. Did you store the document in the  
23 ordinary course of business as you do comparable,  
24 important business documents?

25 A. Yes, I do -- did.

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1 MR. ROCHFORD: We object to T-48 on  
2 hearsay grounds.

3 EXH (Trial Exhibit T-49, e-mail chain dated  
4 12/5 to 12/6, 2010, between [REDACTED] and Skold, Bates  
5 numbered SKOLD-001695, marked for identification, as  
6 of this date.)

7 Q. Turning to Exhibit T-49, that's  
8 described in Exhibit T-145 as, "December 5 to 6, 2010  
9 e-mails between Thomas Skold and [REDACTED]  
10 [REDACTED] on promotion, confusion and business  
11 obstruction."

12 Is that an accurate description of the  
13 document, Mr. Skold?

14 A. Would you please repeat that, Art?

15 Q. December 5th, to December 6th e-mails  
16 between Thomas Skold and [REDACTED]

17 [REDACTED] on promotion, confusion and  
18 business obstruction."

19 MR. ROCHFORD: We object to that  
20 characterization of the exhibit. It speaks for  
21 itself.

22 Q. Mr. Skold, is that an accurate  
23 characterization?

24 A. I would say so and, as he suggests, it  
25 speaks for itself.

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1 Q. Is the exhibit a true copy of the  
2 document as found in your files?

3 A. Yes, it is.

4 Q. Did you store the document in the  
5 ordinary course of business as you do comparable,  
6 important business documents?

7 A. Yes, I have.

8 MR. ROCHFORD: We object to T-49 on  
9 relevance and hearsay grounds.

10 EXH (Trial Exhibit T-50, e-mail dated  
11 1/26/04, Day to Skold, Bates numbered SKOLD-001751,  
12 marked for identification, as of this date.)

13 Q. Turning to Exhibit T-50, that was  
14 described in Exhibit T-145 as "January 26, 2004  
15 e-mail from Jeff Day of CollaGenex to Thomas Skold on  
16 technical help with the Scientific Advisory Board."

17 Is that an accurate description of the  
18 document, Mr. Skold?

19 A. Yes, it is.

20 Q. Mr. Skold, is it a true copy of the  
21 document as found in your files in its one page?

22 A. Yes, it is.

23 Q. Did you store the document in the  
24 ordinary course of business as you do comparable,  
25 important business documents?

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1           A.       Yes, I did.

2                   MR. ROCHFORD: We object to T-50 on  
3 relevance and hearsay grounds.

4           Q.       Mr. Skold, revisiting one exhibit back,  
5 T-49, could you confirm that the document as found is  
6 a true copy in your files, is a two-page document?

7           A.       This is the e-mail from Jeff Day, isn't  
8 it, requesting my assistance when it comes to the  
9 presentation to the Scientific Advisory Board?

10          Q.       Yes.

11          A.       Yes, that's correct.

12                  MR. ROCHFORD: We object to that  
13 response. Mischaracterizes the document.

14 EXH              (Trial Exhibit T-51, document entitled,  
15 "Agreed Revised Terms of Skold Agreement," Bates  
16 numbered SKOLD-1766 through 1767, marked for  
17 identification, as of this date.)

18          Q.       Turning to Exhibit T-51, that was  
19 described in Exhibit T-145 as, "Statement from  
20 CollaGenex of agreed terms sheet for 2004 with the  
21 statement speaking of Restoraderm technology."

22                  Is that an accurate description of the  
23 document, Mr. Skold?

24                  MR. ROCHFORD: We object to that  
25 characterization of the document.



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1           A.       I would say so. This is put together by  
2 CollaGenex trying to confirm what we agreed upon  
3 during the summer of 2004, a few months before we  
4 signed the final September 2004 agreement stipulating  
5 what CollaGenex would have to do, and the financial  
6 side of it.

7           Q.       So the time frame of the document was  
8 approximately --

9           A.       Summer -- a few months before, I would  
10 say, June 2004.

11          Q.       Is the document in its two pages a true  
12 copy of the document as found in your files?

13          A.       That is correct.

14          Q.       Did you store the document in the  
15 ordinary course of business as you do comparable,  
16 important business documents?

17          A.       Yes, I did.

18                 MR. ROCHFORD: We object on relevance  
19 grounds. We also object to the authentication of  
20 this undated, unsigned document, T-51.

21          Q.       Thomas, we'll stay with T-51 just one  
22 more moment. You received that document from  
23 CollaGenex, is that not correct?

24          A.       Absolutely. From their CFO. Nancy  
25 Broadbent.

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1 EXH (Trial Exhibit T-52, e-mail dated  
2 9/15/04, Day to Skold, Bates numbered SKOLD-001788,  
3 marked for identification, as of this date.)

4 Q. Turning to Exhibit T-52, that was  
5 described in Exhibit T-145 as September 15th, 2004  
6 e-mail from Jeff Day of CollaGenex to Thomas Skold  
7 promoting to Abramovitz.

8 Is that an accurate description of the  
9 document, Mr. Skold?

10 A. Somewhat. Bill Abramovitz is a  
11 dermatologist in Dallas who was supposed to give a  
12 lecture, which he also did, at the Caribbean Derm  
13 meeting in 2005, and Jeff wanted me to assist him and  
14 educate him on the Restoraderm technology for this  
15 purpose.

16 MR. ROCHFORD: We object to that  
17 response as nonresponsive, irrelevant and beyond the  
18 scope of this deposition.

19 Q. Is the document in its one page a true  
20 copy of the document as found in your files,  
21 Mr. Skold?

22 A. Yes, it is.

23 Q. Did you store the document in the  
24 ordinary course of business as you could comparable  
25 business documents?

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1 A. Yes, I did.

2 MR. ROCHFORD: We object to T-52 on  
3 relevance and hearsay grounds.

4 EXH (Trial Exhibit T-53, e-mail chain dated  
5 9/3 through 9/8, 2004, between Ranbaxy, Skold and  
6 CollaGenex, Bates numbered SKOLD-001790 through 91,  
7 marked for identification, as of this date.)

8 Q. Turning to Exhibit T-53 that's described  
9 in Exhibit T-145 as "September 3 to September 8  
10 e-mails between Ranbaxy, Thomas Skold and CollaGenex  
11 on promotional teleconference."

12 Is that an accurate description of the  
13 document, Mr. Skold?

14 A. Yes, it is.

15 Q. Is the document in its two pages a true  
16 copy of the document as found in your files?

17 A. Yes, it is.

18 Q. Did you store the document in the  
19 ordinary course of business as you do comparable,  
20 important business documents?

21 A. Yes, I did.

22 MR. ROCHFORD: We object to the document  
23 on relevance and hearsay grounds.

24 EXH (Trial Exhibit T-54, meeting agenda  
25 entitled, "CollaGenex/Ranbaxy - September 9, 2004

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1     Teleconference re Restoraderm," Bates numbered  
2     SKOLD-001792, marked for identification, as of this  
3     date.)

4             Q.     Turning to Exhibit T-54, that's  
5     described in Exhibit T-145 as "meeting agenda  
6     attached to SKOLD-0001790," which in fact is the  
7     Exhibit T-53.

8             Is that an accurate description of the  
9     document?

10            A.     Yes, it is. As a follow-up on T-53,  
11     this is the agenda for our teleconference.

12            Q.     And the document is dated, at least as  
13     far as the date of the anticipated meeting, how?

14            A.     The teleconference was on September 9th.

15            Q.     What year?

16            A.     2004, sorry.

17            Q.     Is the document a true copy of the  
18     document as found in your files in its one page?

19            A.     That is correct.

20            Q.     Who created the document?

21            A.     Deborah -- it was Ranbaxy -- what was  
22     her name? Deborah McDonald.

23            Q.     You stored the document in the ordinary  
24     course of business as you do comparable business  
25     documents, Mr. Skold?

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1           A.       That is correct.

2                   MR. ROCHFORD: We object to T-54 on  
3 relevance grounds.

4 EXH               (Trial Exhibit T-55, e-mail dated  
5 10/26/04, Ford to Skold, Bates numbered SKOLD-001803,  
6 marked for identification, as of this date.)

7           Q.       Turning to Exhibit T-55, that's  
8 described in Exhibit T-145 as, "October 26, 2004  
9 e-mail, Greg Ford of CollaGenex to Thomas Skold on  
10 promotion to Galderma."

11                   Is that an accurate description of the  
12 document, Mr. Skold?

13          A.       Yes, it is.

14          Q.       Is the document in its one page a true  
15 copy of the document as found in your files?

16          A.       Yes, it is.

17          Q.       Did you store the document in the  
18 ordinary course of business as you do comparable,  
19 important business documents?

20          A.       Yes, I did.

21                   MR. ROCHFORD: We object to the  
22 authentication of T-55. It appears to be an  
23 incomplete e-mail string. We also object on  
24 relevance and hearsay grounds to Exhibit T-55.

25                   MR. JACKSON: All right.

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1 EXH (Trial Exhibit T-56, e-mail chain dated  
2 11/3 through 11/18, 2004, between CollaGenex parties  
3 and Skold, Bates numbered SKOLD-001804 through 1808,  
4 marked for identification, as of this date.)

5 Q. Turning to Exhibit T-56, that's  
6 described in Exhibit T-145 as, "November 3 to 18,  
7 2004 e-mails between CollaGenex parties and Thomas  
8 Skold concerning additional Restoraderm samples from  
9 Thomas Skold."

10 Is that an accurate description of the  
11 document, Mr. Skold?

12 A. Which would be forwarded over to  
13 Galderma, yes.

14 MO MR. ROCHFORD: I'll object and move to  
15 strike that response as nonresponsive, irrelevant,  
16 and beyond the scope.

17 Q. Which is to say that the samples were to  
18 be provided to Galderma, Mr. Skold?

19 A. That's correct. I met Art Clapp from  
20 Galderma, I believe in September 2004, at the same  
21 time I met Bill Abramovitz, the dermatologist in  
22 Dallas. And as a follow-up on that meeting, Mr. Greg  
23 Ford continued to the discussion with Art Clapp and  
24 they continuously needed more samples to different,  
25 various reviewers and focus groups and so on and so

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1       forth.

2       MO                   MR. ROCHFORD:   Move to strike on  
3       relevance grounds.

4               Q.       Is the document in its five pages a true  
5       copy of the document as found in your files,  
6       Mr. Skold?

7               A.       Yes, it is.

8               Q.       Did you store the document in the  
9       ordinary course of business as you do comparable,  
10      important business documents?

11              A.       Yes, I did.

12                      MR. ROCHFORD:   We object to T-56 on  
13      relevance and hearsay grounds.

14      EXH               (Trial Exhibit T-57, e-mail chain dated  
15      3/10 through 3/16, between Clapp and Skold, Bates  
16      numbered SKOLD-1809, marked for identification, as of  
17      this date.)

18              Q.       Turning to Exhibit T-57, which is  
19      described in Exhibit T-145 as, "March 10th to 16,  
20      2009 e-mails between Art Clapp of Galderma and Thomas  
21      Skold on a proposed new relationship."

22                      Is that an accurate description of the  
23      document, Mr. Skold?

24                      MR. ROCHFORD:   We object to that  
25      characterization of T-57.

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1           A.       I would say that Art is confirming that  
2 they are working on a new agreement proposal to me,  
3 which I never saw something out of. That -- yes.

4           Q.       Is the document in its one page a true  
5 copy of the document as found in your files?

6           A.       Yes, it is.

7           Q.       Did you store the document in the  
8 ordinary course of business as you do comparable,  
9 important business documents?

10          A.       Yes, I did.

11                 MR. ROCHFORD: We object to T-57 on  
12 relevance and hearsay grounds.

13 EXH               (Trial Exhibit T-60, e-mail dated  
14 6/22/09, Cassady to Skold, Bates numbered  
15 SKOLD-00817, marked for identification, as of this  
16 date.)

17          Q.       Turning to Exhibit T-60, that's  
18 described in Exhibit T-145 as June 22nd, 2009 Quintin  
19 Cassady of Galderma to Thomas Skold on arranging a  
20 teleconference. Is that an accurate description of  
21 the document, Mr. Skold?

22          A.       Yes. This is as a follow-up from my  
23 accusations that Galderma had expressed already in  
24 March, beginning of March 2009, that they would not  
25 pursue the Restoraderm technology but would try to



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1 keep the name. So that was the topic for this  
2 discussion.

3 MO MR. ROCHFORD: Object and move to strike  
4 on relevance grounds. Beyond the scope of this  
5 deposition. Hearsay.

6 Q. Is the document a true copy of the  
7 document in its one page, as found in your files,  
8 Mr. Skold?

9 A. Yes, it is.

10 Q. Did you store the document in the  
11 ordinary course of business as you do comparable,  
12 important business documents?

13 A. Yes. That's correct. I did.

14 MR. ROCHFORD: We object to T-60 on  
15 relevance grounds.

16 EXH (Trial Exhibit T-62, e-mail chain dated  
17 5/31 through 7/14, 2010, between DeBruyne and Skold,  
18 Bates numbered SKOLD-001820 and 1821, marked for  
19 identification, as of this date.)

20 Q. Turning to Exhibit T-62, that's  
21 described in Exhibit T-145 as May 31 to July 14, 2010  
22 e-mails between C. DeBruyne of Galderma and Thomas  
23 Skold on there being no further agreement with Thomas  
24 Skold.

25 Is that an accurate description of the

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1 document, Mr. Skold?

2 A. It is. This is after the termination  
3 where Chris DeBruyne, the business guy in charge of  
4 business development internationally for Galderma,  
5 and I discussed how we would work around the issues  
6 we had, among other things, the issue with the  
7 trademark, but also the other -- other matters of the  
8 agreement for 2004.

9 MO MR. ROCHFORD: Move to strike that  
10 response as non-responsive, irrelevant, beyond the  
11 scope of this deposition, and hearsay.

12 Q. Is the document a true copy of the  
13 document as found in your files?

14 A. Yes, it is.

15 Q. Did you store the document in the  
16 ordinary course of business as you do comparable,  
17 important business documents?

18 A. Yes, I did.

19 MR. ROCHFORD: We object to T-62 on  
20 relevance grounds and hearsay.

21 EXH (Trial Exhibit T-63, press release dated  
22 9/14/10, Bates numbered SKOLD-001822 and 23, marked  
23 for identification, as of this date.)

24 Q. Turning to Exhibit T-63, that was  
25 described in Exhibit T-145 as September 14th, 2010

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1 press release from Galderma on Cetaphil Restoraderm."

2 Is that an accurate description of the  
3 document, Mr. Skold?

4 A. Yes, it is. And I believe it was dated  
5 sometime late 2010.

6 Q. Turning to Exhibit T-46, that was  
7 described in Exhibit T-145 as March 11 to 22nd, 2010  
8 e-mails introducing Thomas Skold --

9 MR. ROCHFORD: Counsel, did you  
10 misspeak? You said T-46.

11 MR. JACKSON: Oh, I did misspeak. I  
12 apologize.

13 EXH (Trial Exhibit T-64, e-mail chain dated  
14 3/11 through 3/22, 2010, between Skold and Tucker,  
15 Bates numbered SKOLD-001828 through 1829, marked for  
16 identification, as of this date.)

17 Q. T-64 is described in Exhibit T-145 as  
18 March 11 to 22nd, 2010 e-mails introducing Thomas  
19 Skold to Basilia and between Thomas Skold and Basilea  
20 on promotion.

21 Is that an accurate description of the  
22 document, Mr. Skold?

23 A. I would say so. Professor Fowler is  
24 trying to put me together with Basilea and John  
25 Tucker, that's correct.

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1 Q. Is the document in its one page a true  
2 copy of the document as found in your files,  
3 Mr. Skold?

4 A. It is.

5 Q. Did you store the document in the  
6 ordinary course of business as you do comparable,  
7 important business documents?

8 A. Yes, I did.

9 MR. ROCHFORD: We object to T-64 and any  
10 testimony regarding it on relevance and hearsay  
11 grounds.

12 EXH (Trial Exhibit T-65, e-mail chain dated  
13 6/1 and 6/2, 2010, between Skold [REDACTED], Bates  
14 numbered SKOLD-001830, marked for identification, as  
15 of this date.)

16 Q. Turning to Exhibit T-65, that was  
17 described in Exhibit T-145 as June 1 to 2nd, 2010  
18 e-mails between Thomas Skold [REDACTED] on  
19 promotion.

20 Is that an accurate description of the  
21 document, Mr. Skold?

22 A. That is correct.

23 Q. Is the document in its one page a true  
24 copy of the document as found in your files?

25 A. It is.

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1 Q. Did you store the document in the  
2 ordinary course of business as you do comparable,  
3 important business documents?

4 A. I did.

5 MR. ROCHFORD: We object to T-65 on  
6 relevance and hearsay grounds.

7 EXH (Trial Exhibit T-66, e-mail chain dated  
8 10/4 and 1/5, 2010, between Skold and [REDACTED] Bates  
9 numbered SKOLD-001831 and 32, marked for  
10 identification, as of this date.)

11 Q. Turning to Exhibit T-66, that's  
12 described in Exhibit T-145 as October 4 to 5th, 2010  
13 e-mails between Thomas Skold and [REDACTED] on  
14 conclusion and promotion.

15 Is that an accurate description of the  
16 document, Mr. Skold?

17 A. Yes, it is.

18 MR. ROCHFORD: We object to that  
19 characterization of T-66.

20 Q. Is the document in its two pages a true  
21 copy of the document as found in your files?

22 A. Yes, it is.

23 Q. Was the document stored in the ordinary  
24 course of business as you do comparable, important  
25 business documents?

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1 A. Yes.

2 MR. ROCHFORD: We object to T-66 on  
3 relevance and hearsay grounds.

4 EXH (Trial Exhibit T-67, e-mail chain dated  
5 2/10 through 2/21, 2011, between Skold and [REDACTED]  
6 Bates numbered SKOLD-001833 through 1835, marked for  
7 identification, as of this date.)

8 Q. Turning to Exhibit T-67, that was  
9 described in Exhibit T-145 as February 10th to 21,  
10 2011 e-mails between Thomas Skold and [REDACTED]  
11 [REDACTED], on promotion.

12 Is that an accurate description of the  
13 document?

14 A. Yes, it is. He basically asks to better  
15 understand the technology, IP situation and the  
16 situation with Galderma.

17 Q. Is the document in its three pages a  
18 true copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Did you store the document in the  
21 ordinary course of business as you do comparable,  
22 important business documents?

23 A. Yes, I did.

24 MR. ROCHFORD: We object to T-67 on  
25 relevance and hearsay grounds.

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1 EXH (Trial Exhibit T-68, e-mail dated  
2 6/30/11, Skold to [REDACTED], Bates numbered  
3 SKOLD-001836, marked for identification, as of this  
4 date.)

5 Q. Turning to T-68, that's described in  
6 Exhibit T-145 as June 30, 2011 e-mail from Thomas  
7 Skold to [REDACTED] regarding a meeting on  
8 promotion.

9 Is that an accurate description of the  
10 document, Mr. Skold?

11 A. That is correct. [REDACTED] is  
12 the international development manager for [REDACTED] and  
13 it was a promotion, correct.

14 Q. Is the document in its one page a true  
15 copy of the document as found in your files?

16 A. That is correct.

17 Q. Did you store is document in the  
18 ordinary course of business as do you comparable,  
19 important business documents?

20 A. Yes, I did.

21 MR. ROCHFORD: We object to T-68 on  
22 relevance and hearsay grounds.

23 EXH (Trial Exhibit T-72, e-mail dated  
24 9/4/01, Day to Skold, not Bates numbered, marked for  
25 identification, as of this date.)

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1 Q. Turning to Exhibit T-72, that was  
2 described in Exhibit T-145 as September 4, 2001  
3 e-mail from Jeff Day to Thomas Skold on meeting  
4 between CollaGenex, Neutrogena/Ortho, Medicis and  
5 Allergan on promotion.

6 Is that an accurate description,  
7 Mr. Skold?

8 MR. ROCHFORD: We object to that  
9 characterization of the exhibit.

10 A. That is correct. This is an early --  
11 I'm not sure if it's a confirmation because it's more  
12 a suggestion from Jeff what to do and when to do  
13 things on my trip over in September 2001.

14 Q. Is the document in its one page a true  
15 copy of the document as found in your files?

16 A. It is.

17 Q. Did you store the document in the  
18 ordinary course of business as you do comparable,  
19 important business documents?

20 A. Yes, I did.

21 MR. ROCHFORD: We object to T-72 on  
22 hearsay grounds.

23 EXH (Trial Exhibit T-75, e-mail chain dated  
24 2/17 and 2/18, 2002, between Day and Skold, not Bates  
25 numbered, marked for identification, as of this



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1 date.)

2 Q. Turning to Exhibit T-75, which was  
3 described in Exhibit T-145 as, February 17th to 18th,  
4 2002 e-mails between Jeff Day of CollaGenex and  
5 Thomas Skold on promotional activities to Connectics.

6 Is that an accurate description of the  
7 document, Mr. Skold?

8 A. That is correct.

9 Q. Is the document in its two pages a true  
10 copy of the document as found in your files?

11 A. Yes, it is.

12 Q. Did you store the document in the  
13 ordinary course of business as you do comparable,  
14 important business documents?

15 A. Yes, I did.

16 MR. ROCHFORD: We object to T-75 on  
17 hearsay grounds.

18 EXH (Trial Exhibit T-76, e-mail chain dated  
19 3/21 through 5/1, 2009, between CollaGenex and  
20 potential partner, not Bates numbered, marked for  
21 identification, as of this date.)

22 Q. Turning to Exhibit T-76, that was  
23 described in Exhibit T-145 as "March 21 to May 1,  
24 2009 e-mails to CollaGenex and potential partner, and  
25 to Thomas Skold on promotion."

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1 Is that an accurate description of the  
2 document, Mr. Skold?

3 A. Yes, promotion to a company called ATS  
4 about Restoraderm technology.

5 Q. Is the document in its two pages a true  
6 copy of the document as found in your files?

7 A. Yes, it is.

8 Q. Was the document stored in the ordinary  
9 course of business as you do comparable, important  
10 business documents?

11 A. Yes, it was.

12 MR. ROCHFORD: We object to T-76 on  
13 relevance and hearsay grounds.

14 EXH (Trial Exhibit T-77, e-mail chain dated  
15 4/29 through 5/3, 2002, between Ashley and Skold, not  
16 Bates numbered, marked for identification, as of this  
17 date.)

18 Q. Turning to Exhibit T-77, that was  
19 described in Exhibit T-145 as April 29 to May 3,  
20 2002, e-mails between Rob Ashley of CollaGenex and  
21 Thomas Skold on promotions.

22 Is that an accurate description of the  
23 document, Mr. Skold?

24 A. Correct, promotions to Antares Pharma.

25 Q. Is the document in its one page a true

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1 copy of the document as found in your files?

2 A. Yes, it is.

3 Q. Did you store the document in the  
4 ordinary course of business as you do comparable,  
5 important business documents?

6 A. Yes, I did.

7 MR. ROCHFORD: We object to T-77 on  
8 relevance and hearsay grounds.

9 EXH (Trial Exhibit T-78, e-mail dated  
10 5/7/02, Day to Skold, not Bates numbered, marked for  
11 identification, as of this date.)

12 Q. Turning to Exhibit T-78 that's described  
13 in Exhibit T-145 as May 7, 2002 e-mail from Jeff Day  
14 of CollaGenex to Thomas Skold on input, on promotions  
15 for presentation to the board of CollaGenex.

16 Is that an accurate description,  
17 Mr. Skold?

18 A. That is correct.

19 MR. ROCHFORD: We object to that  
20 characterization of the exhibit.

21 Q. Is the document in its one page a true  
22 copy of the document as found in your files?

23 A. Yes, it is.

24 Q. Did you store the document in the  
25 ordinary course of business as you do comparable,

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1 important business documents?

2 A. Yes, I did.

3 MR. ROCHFORD: We object to T-78 on  
4 relevance and hearsay grounds and on the ground that  
5 it does not institute the best evidence. There is no  
6 attachment, as the exhibit calls for.

7 MR. JACKSON: I note that we're halfway  
8 through, so, by numbers, anyway, not a completely  
9 accurate measure, but I suggest a 15-minute break, or  
10 a ten minute -- let's just do ten, everybody.

11 MR. ROCHFORD: We're going to leave our  
12 line open, but let's plan on starting up again around  
13 11:17.

14 THE WITNESS: Richard, sorry, you said  
15 11 --

16 MR. JACKSON: Seventeen.

17 THE WITNESS: -- seventeen, okay, good.

18 MR. ROCHFORD: Thank you.

19 MR. JACKSON: Thank you, guys. Off the  
20 record.

21 (Recess taken.)

22 EXH (Trial Exhibit T-79, e-mail chain dated  
23 4/12 through 6/26, between Ashley, Epitan and Skold  
24 re formulation collaboration, not Bates numbered,  
25 marked for identification, as of this date.)

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1 EXAMINATION (Cont'd.)

2 BY MR. JACKSON:

3 Q. So, turning to Exhibit T-79, that was  
4 described in Exhibit T-145 as, "April 12 to June  
5 26th, 2006 e-mails between Rob Ashley of CollaGenex,  
6 Epitan and Thomas Skold, on a formulation  
7 collaboration."

8 Is that an accurate description,  
9 Mr. Skold?

10 A. Absolutely, it is.

11 Q. Is the document in its two pages a true  
12 copy of the document as found in your files?

13 A. It is.

14 Q. Did you store the document in the  
15 ordinary course of business as you do comparable,  
16 important business documents?

17 A. Yes, I did.

18 MR. ROCHFORD: We object to ~~T-79~~ on  
19 relevance and hearsay grounds.

20 EXH (Trial Exhibit T-80, e-mail chain dated  
21 5/26 and 5/27, 2005 between Skold and Epitan re  
22 promotion and consulting, not Bates numbered, marked  
23 for identification, as of this date.)

24 Q. Turning to Exhibit T-80, that's  
25 described in Exhibit T-145 as May 27th, as a Swedish

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1 date, to May 26th as an Australian date, 2005 e-mails  
2 between Thomas Skold and Epitan concerning promotion  
3 and consulting.

4 Is that an accurate description of the  
5 document, Mr. Skold?

6 A. That is correct.

7 Q. Is the document in its two pages a true  
8 copy of the document as found in your files?

9 A. Yes, it is.

10 Q. Did you store the document in the  
11 ordinary course of business as you do comparable,  
12 important business documents?

13 A. Yes, I did.

14 MR. ROCHFORD: We object to T-80 on  
15 relevance and hearsay grounds. We also object to the  
16 exhibit as not the best evidence as it does not  
17 include an attachment.

18 Q. Did you receive the e-mail from Michael  
19 Kleinig, the last e-mail in the string?

20 A. That's correct. Michael Kleinig.

21 Q. Kleinig. Is the top header information  
22 an artifact of reproduction?

23 A. Yes, it is.

24 Q. Is the same true as to the previous  
25 exhibit, 79, that the top header is an artifact of

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1 reproduction?

2 A. The same is true with all of them.

3 Q. Does that have that particular header?

4 A. That's correct.

5 EXH (Trial Exhibit T-81, e-mail chain dated  
6 10/4 through 10/9, 2002 between CollaGenex, Fujisawa  
7 and Skold re collaboration, not Bates numbered,  
8 marked for identification, as of this date.)

9 Q. Mr. Skold, turning to Exhibit T-81, that  
10 document is described in Exhibit T-145 as an October  
11 4 to 9, 2002 e-mails between -- there's obviously a  
12 typo -- between Jeff Day of CollaGenex, Fujisawa, and  
13 Thomas Skold on collaboration.

14 Is that an accurate description?

15 A. Yes, it is. Jeff is asking for samples  
16 and assistance for presentations to Fujisawa, also,  
17 to Neutrogena.

18 Q. Is the document in its two pages a true  
19 copy of the document as found in your files?

20 A. Yes, it is.

21 Q. Did you store the document in the  
22 ordinary course of business as you do comparable,  
23 important business documents?

24 A. Yes, I did.

25 MR. ROCHFORD: We object to T-81 on

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1 relevance and hearsay grounds.

2 EXH (Trial Exhibit T-82, e-mail chain dated  
3 3/7 through 3/10, 2003 between Day and Skold re  
4 development and promotions, not Bates numbered,  
5 marked for identification, as of this date.)

6 Q. Turning to Exhibit T-82, that was  
7 described in Exhibit T-145 as, "March 7th to 10th,  
8 2003 e-mails between Jeff Day of CollaGenex and  
9 Thomas Skold on product development and promotions."

10 Is that an accurate description of the  
11 document, Mr. Skold?

12 A. Yes, it is.

13 Q. Is the document in its two pages a true  
14 copy of the document as found in your files?

15 A. It is.

16 Q. Did you store the document in the  
17 ordinary course of business as you did comparable,  
18 important business documents?

19 A. Yes, I did.

20 MR. ROCHFORD: We object to T-82 on  
21 relevance and hearsay grounds.

22 EXH (Trial Exhibit T-83, e-mail chain dated  
23 3/13 and 3/14, 2003, between Day, Skold, et al, with  
24 attached agenda, not Bates numbered, marked for  
25 identification, as of this date.)



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1 Q. Turning to Exhibit T-83, that's  
2 described in Exhibit T-145 as March 13th to 14th,  
3 obvious from the document, 2003, e-mails between Jeff  
4 Day of CollaGenex, Thomas Skold and others on  
5 planning promotional activity at the AAD meeting, and  
6 the document includes an attached agenda.

7 Is that an accurate description,  
8 Mr. Skold?

9 A. It is, and AAD stands for the American  
10 Academy of Dermatology.

11 Q. Is the document with the attached agenda  
12 four pages?

13 A. Yes, it is.

14 Q. Who prepared the agenda?

15 A. Mr. Jeff Day from CollaGenex.

16 Q. Is the document in its four pages a true  
17 copy as found in your files?

18 A. Yes, it is.

19 Q. Did you store the document in the  
20 ordinary course of business as you would with  
21 comparable, important business documents?

22 A. Yes, I did.

23 MR. ROCHFORD: We object to T-83 on  
24 relevance and hearsay grounds.

25 EXH (Trial Exhibit T-84, e-mail chain dated

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1 5/12 through 5/16, 2003, between Day, Skold and  
2 Ghadially, not Bates numbered, marked for  
3 identification, as of this date.)

4 Q. Turning to Exhibit T-84, that's  
5 described in Exhibit T-145 as May 12th to 16th, 2003  
6 e-mails between Jeff Day of CollaGenex, Thomas Skold  
7 and R. Ghadially on product testing and product  
8 development.

9 Is that an accurate description of the  
10 document, Mr. Skold?

11 A. That is correct. Ruby Ghadially.

12 Q. Is the document in its three pages a  
13 true copy of the document as found in your files?

14 A. Yes, it is.

15 Q. Did you store the document in the  
16 ordinary course of business that you do comparable,  
17 important business documents?

18 A. Yes.

19 MR. ROCHFORD: We object to T-84 on  
20 relevance and hearsay grounds.

21 EXH (Trial Exhibit T-85, e-mail dated  
22 7/21/03, Day to Goostree, cc to Skold, not Bates  
23 numbered, marked for identification, as of this  
24 date.)

25 Q. Turning to Exhibit T-85, that's

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1 described in Exhibit T-145 as July 21, 2003 Jeff Day  
2 of CollaGenex to D. Goostree of SkinMedica, Inc.,  
3 with Skold copied on this e-mail soon after it was  
4 sent.

5 Do you agree with that description --

6 MR. ROCHFORD: Object to that  
7 characterization of the exhibit.

8 Q. Do you agree with the characterization  
9 of the exhibit, Mr. Skold?

10 A. Yes, I do. It's the initiation of a  
11 promotion to SkinMedica.

12 Q. And were you forwarded the e-mail soon  
13 after it was sent?

14 A. Yes. That's correct.

15 Q. Who forwarded that to you?

16 A. That was Mr. Jeff Day.

17 Q. Is the document in its two pages a true  
18 copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Did you store the document in the  
21 ordinary course of business as you do comparable,  
22 important business documents?

23 A. Yes, I did.

24 MR. ROCHFORD: We object to T-85 on  
25 relevance and hearsay grounds. We further object to

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1 the authentication of this document as there's no  
2 indication of it being sent to Mr. Skold, which  
3 raises issues about the chain of custody and  
4 authenticity of this document.

5 EXH (Trial Exhibit T-86, e-mail chain dated  
6 10/2 and 10/3, 2003, between Day, Skold and  
7 Ghadially, re product testing data, not Bates  
8 numbered, marked for identification, as of this  
9 date.)

10 Q. Turning to Exhibit T-86, that's  
11 described in Exhibit T-145 as, "October 2 to 3, 2003  
12 e-mails between Jeff Day of CollaGenex and Thomas  
13 Skold and R. Ghadially on product testing data."

14 Is that an accurate description of the  
15 document, Mr. Skold?

16 A. I would say so, yes.

17 Q. Is the document in its two pages a true  
18 copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Was the document stored in the ordinary  
21 course of business as you do with comparable,  
22 important business documents?

23 A. Yes, it was.

24 MR. ROCHFORD: We object to T-86 on  
25 relevance and hearsay grounds. We further object on

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1 the grounds that it's not the best evidence as  
2 exhibits referred to in Ms. Ghadially's October 2  
3 e-mail. The exhibits are not attached. We therefore  
4 object on that ground.

5 EXH (Trial Exhibit T-87, e-mail chain dated  
6 10/23 and 10/24, 2003, between Day and Skold, re  
7 promotions, not Bates numbered, marked for  
8 identification, as of this date.)

9 Q. Turning to Exhibit T-87, that's  
10 described in Exhibit T-145 as October 23rd to 24,  
11 2003 e-mails between Jeff Day of CollaGenex and  
12 Thomas Skold on promotions.

13 Is that an accurate description of the  
14 document, Mr. Skold?

15 A. Yes, promotion to Novartis, that's  
16 correct.

17 Q. Is the document in its two pages a true  
18 copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Did you store the document in the  
21 ordinary course of business as you do comparable,  
22 important business documents?

23 A. Yes, I did.

24 MR. ROCHFORD: We object to T-87 on  
25 relevance and hearsay grounds.

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1 EXH (Trial Exhibit T-88, e-mail chain dated  
2 10/25 through 11/7, 2003, between Day and Skold re  
3 promotions, not Bates numbered, marked for  
4 identification, as of this date.)

5 Q. Turning to Exhibit T-88, that's  
6 described in Exhibit T-145 as October 25 to November  
7 7, 2003 e-mails between Jeff Day of CollaGenex and  
8 Thomas Skold on promotions.

9 Is that an accurate description of the  
10 document, Mr. Skold?

11 A. That is correct.

12 Q. Is the document in its two pages a true  
13 copy of the document as found in your files?

14 A. Yes, it is.

15 Q. Did you store the document in the  
16 ordinary course of business as do you comparable,  
17 important business documents?

18 A. Yes, I did.

19 MR. ROCHFORD: We object to T-88 on  
20 relevance and hearsay grounds.

21 EXH (Trial Exhibit T-89, e-mail chain dated  
22 6/30 through 7/8, 2004, between Skold, Day, et al, re  
23 product development, not Bates numbered, marked for  
24 identification, as of this date.)

25 Q. Turning to Exhibit T-89 that was

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1 described in Exhibit T-145 as June 30th to July 8th,  
2 2004 e-mails between Jeff Day of CollaGenex, Thomas  
3 Skold and others on product development.

4 Is that an accurate description of the  
5 document, Mr. Skold?

6 A. It is. And they -- Jeff is requiring  
7 samples of the Lytra products range, which is a  
8 surface anesthetic product range.

9 Q. L-y-t-r-a, correct?

10 A. That's correct.

11 Q. The document in its three pages is a  
12 true copy of the document as found in your files?

13 A. That is correct.

14 Q. Did you store the document in the  
15 ordinary course of business that you do comparable,  
16 important business documents?

17 A. Yes, I did.

18 MR. ROCHFORD: We object to T-89 on  
19 relevance and hearsay grounds.

20 EXH (Trial Exhibit T-90, e-mail chain dated  
21 2/27 through 9/27, 2004, between Day, Galderma and  
22 Skold, re promotion to Galderma, not Bates numbered,  
23 marked for identification, as of this date.)

24 Q. Turning to T-90, that's described in  
25 Exhibit T-145 as "February 27 to September 27, 2004

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1 e-mails between Jeff Day of CollaGenex, Galderma and  
2 Thomas Skold on promotion to Galderma."

3 Is that an accurate description of the  
4 document?

5 A. Definitely is.

6 Q. Is the document in its three pages a  
7 true copy of the document as found in your files?

8 A. Yes, it is.

9 Q. Did you store the document in the  
10 ordinary course of business as you would comparable,  
11 important business documents?

12 A. Yes, I did.

13 MR. ROCHFORD: We object to T-90 on  
14 relevance and hearsay grounds.

15 EXH (Trial Exhibit T-91, e-mail chain dated  
16 7/10 through 7/12, 2004, between Day and Skold re  
17 promotion to Therapeutics, Inc./Product Development  
18 Company, not Bates numbered, marked for  
19 identification, as of this date.)

20 Q. Turning to T-91, Exhibit T-91, that was  
21 described in Exhibit T-145 as July 10th to 12th, 2004  
22 e-mails between Jeff Day of CollaGenex and Thomas  
23 Skold on promotion to Therapeutics, Inc./Product  
24 Development Company.

25 Is that an accurate description of the



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1 document, Mr. Skold?

2 A. Therapeutics, Inc., with their CEO, Dan  
3 Pacquadio, also sometimes acts as brokers and not  
4 just a clinical research organization.

5 In this case, he represented Dusa  
6 Pharmaceutical Company in the U.S., so it was for  
7 that purpose of reviewing the licensing arrangements.  
8 D USA, all caps.

9 MO MR. ROCHFORD: Object and move to strike  
10 as irrelevant, beyond the scope of this deposition.

11 Q. Is the document a true copy of the  
12 document as found in your files, Mr. Skold?

13 A. Yes, it is.

14 Q. Including both of its two pages?

15 A. Including both pages, correct.

16 Q. Did you store the document in the  
17 ordinary course of business as you would with  
18 comparable, important business documents?

19 A. Yes, I did.

20 MR. ROCHFORD: We object to T-91 on  
21 relevance and hearsay grounds.

22 EXH (Trial Exhibit T-92, e-mail chain dated  
23 2/20 to 8/9, 2004, between Day, Skold, et al, re  
24 Texas Derm, not Bates numbered, marked for  
25 identification, as of this date.)

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1 Q. Turning to Exhibit T-92, that's  
2 described in the Exhibit T-145 as February 20 to  
3 August 9, 2004 e-mails between Jeff Day of  
4 CollaGenex, Thomas Skold and others on promotion to  
5 Texas Derm.

6 Is that an accurate description of the  
7 document, Mr. Skold?

8 A. Texas Derm and Dr. Abramovitz, as well  
9 as Galderma.

10 Q. Is the document in its four pages a true  
11 copy of the document as found in your files?

12 A. Yes.

13 Q. Did you store the document in the  
14 ordinary course of business as you would comparable,  
15 important business documents?

16 A. Yes, I did.

17 MR. ROCHFORD: We object to T-92 on  
18 relevance and hearsay grounds.

19 EXH (Trial Exhibit T-93, e-mail chain dated  
20 8/16 to 8/17, 2004 between Day, Skold et al, re  
21 promotion to Ranbaxy, not Bates numbered, marked for  
22 identification, as of this date.)

23 Q. Turning to Exhibit T-93, that document  
24 is described in Exhibit T-145 as August 16th to 17th,  
25 2004 e-mails between Jeff Day of CollaGenex, Thomas

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1 Skold, and others on promotion to Ranbaxy.

2 Is that an accurate description of the  
3 document, Mr. Skold?

4 A. That is correct.

5 Q. Is the document in its one page a true  
6 copy of the document as found in your files?

7 A. It is. Correct.

8 Q. Did you store the document in the  
9 ordinary course of business as you would comparable,  
10 important business documents?

11 A. Yes, I did.

12 MR. ROCHFORD: We object to T-93 on  
13 relevance and hearsay grounds.

14 EXH (Trial Exhibit T-94, e-mail dated  
15 9/10/04, Zeller to Skold, re Ranbaxy, with attached  
16 initial outline, not Bates numbered, marked for  
17 identification, as of this date.)

18 Q. Turning to Exhibit T-94, that's  
19 described in Exhibit T-145 as, "September 10th, 2004  
20 e-mail, Brad Zeller of CollaGenex to Thomas Skold on  
21 forming a project plan for Ranbaxy, attaching an  
22 initial outline."

23 Is that an accurate description of the  
24 document, Mr. Skold.

25 A. Yes, in regards to the transdermal

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1 testosterone topical product they were looking for.

2 Q. And Mr. Zerler prepared the initial  
3 draft that's attached?

4 A. That is correct. He was the project  
5 manager.

6 Q. Is the document in its two pages  
7 including the attachment a true copy of the document  
8 as found in your files?

9 A. Yes, it is.

10 Q. Did you store the document in the  
11 ordinary course of business as you would comparable,  
12 important business documents?

13 A. Yes, I did.

14 MR. ROCHFORD: We object to T-94 on  
15 relevance and hearsay grounds.

16 EXH (Trial Exhibit T-95, e-mail chain dated  
17 3/2 to 3/4, 2005, between Ford, Skold, et al, re  
18 formulation development, not Bates numbered, marked  
19 for identification, as of this date.)

20 Q. Turning to Exhibit T-95, that's  
21 described in Exhibit T-145 as, "March 2nd to 4th,  
22 2005 e-mails between Greg Ford of CollaGenex, Thomas  
23 Skold and others on formulation development."

24 Is that an accurate description of the  
25 document, Mr. Skold?

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1 A. The that is correct.

2 Q. Does the document reference another  
3 company?

4 A. It references Ranbaxy and Deborah  
5 McDonald, the business development person in charge.

6 Q. Is the document and its two pages a true  
7 copy of the document as found in your files?

8 A. Yes, it is.

9 Q. Did you store the document in the  
10 ordinary course of business as you would comparable,  
11 important business documents?

12 A. Yes, I did.

13 MR. ROCHFORD: We object to T-95 on  
14 relevance and hearsay grounds.

15 EXH (Trial Exhibit T-96, e-mail dated  
16 9/28/04, InyX-Pharma to Ford, Skold, et al, re  
17 summary of promotional meeting, not Bates numbered,  
18 marked for identification, as of this date.)

19 Q. Turning to Exhibit T-96, that's  
20 identified in Exhibit T-145 as, "September 28th, 2004  
21 e-mail, InyX-Pharma to Greg Ford of CollaGenex,  
22 Thomas Skold, others, on summary of a promotional  
23 meeting."

24 Is that an accurate description of the  
25 document, Mr. Skold?

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1           A.       I would probably add, InyX-Pharma is a  
2 manufacturing company, so they were merely choosing  
3 to manufacture Restoraderm technology products.

4           Q.       Is the document in its three pages a  
5 true copy of the document as found in your files?

6           A.       Yes, it is.

7           Q.       Did you store the document in the  
8 ordinary course of business as you would comparable,  
9 important business documents?

10          A.       Yes, I did.

11                 MR. ROCHFORD: We object to T-96 on  
12 relevance and hearsay grounds.

13          EXH                 (Trial Exhibit T-97, e-mail dated  
14 6/14/05, Ford to Skold re technical presentation for  
15 promotions, not Bates numbered, marked for  
16 identification, as of this date.) Well

17          Q.       ~~Will~~ turning to Exhibit T-97, that's TS  
18 described in Exhibit T-145 as "June 14th, 2005 e-mail  
19 from Greg Ford of CollaGenex to Thomas Skold seeking  
20 a technical presentation for promotions."

21                 Is that an accurate description of the  
22 document, Mr. Skold?

23          A.       Yes, it is.

24          Q.       Is the document in its one page a true  
25 copy of the document as found in your files?

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1 A. Yes, it is.

2 Q. Did you store the document in the  
3 ordinary course of business as you would comparable,  
4 important business documents?

5 A. Yes, I did.

6 MR. ROCHFORD: We object to T-97 on  
7 relevance and hearsay grounds.

8 EXH (Trial Exhibit T-98, e-mail chain dated  
9 1/22/07 between Skold and Ford, re promotions to  
10 Pfizer and J&J, not Bates numbered, marked for  
11 identification, as of this date.)

12 Q. Turning to Exhibit T-98, that's  
13 described in Exhibit T-145 as January 22nd, 2007  
14 e-mail from Greg Ford of CollaGenex to Thomas Skold  
15 on promotions to Pfizer and J&J.

16 Is that an accurate description of the  
17 document, Mr. Skold?

18 A. Yes, it is.

19 Q. Is the document in its one page a true  
20 copy of the document as found in your files?

21 A. Yes, it is.

22 Q. Did you store the document in the  
23 ordinary course of business as you would comparable,  
24 important business documents?

25 A. Yes, I did.

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1 MR. ROCHFORD: We object to T-98 on  
2 relevance and hearsay grounds.

3 EXH (Trial Exhibit T98, e-mail chain dated  
4 8/3 through 8/9, 2007, between Skold and [REDACTED] on  
5 promotion, not Bates numbered, marked for  
6 identification, as of this date.)

7 Q. Turning to Exhibit T-99, that's  
8 described in Exhibit T-145 as "August 3 to 9, 2007  
9 e-mails between Thomas Skold and [REDACTED] on  
10 promotion."

11 Is that an accurate description of the  
12 document, Mr. Skold?

13 A. Yes, it is.

14 Q. Is the document in its three pages a  
15 true copy of the document as found in your files?

16 A. Yes, it is.

17 Q. Did you store the document in the  
18 ordinary course of business as you would comparable,  
19 important business documents?

20 A. Yes, I did.

21 MR. ROCHFORD: We object to T-99 on  
22 relevance and hearsay grounds.

23 EXH (Trial Exhibit T-100, e-mail dated 11/17  
24 through 12/10/07, between Skold and [REDACTED] re  
25 [REDACTED] not Bates numbered, marked for



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1 identification, as of this date.)

2 Q. Turning to Exhibit T-100, that's  
3 described in the exhibit T-145 as "November 17th to  
4 December 10th, 2007 e-mails between Thomas Skold and  
5 [REDACTED] on introduction to [REDACTED] for  
6 promotion."

7 Is that an accurate description of the  
8 document, Mr. Skold?

9 A. Yes, you could say so.

10 Q. How would you clarify that, Mr. Skold?

11 A. It's -- it's a suggestion on promotion  
12 from [REDACTED].

13 Q. Is the document in its four pages a true  
14 copy of the document as found in your files?

15 A. Yes, it is.

16 Q. Did you store the document in the  
17 ordinary course of business as you would comparable,  
18 important business documents?

19 A. Yes, I did.

20 MR. ROCHFORD: We object to T-100 on  
21 relevance and hearsay.

22 EXH (Trial Exhibit T-101, e-mail chain dated  
23 1/30 to 1/31, 2008, between Skold and [REDACTED] re  
24 promotion, not Bates numbered, marked for  
25 identification, as of this date.)

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1 Q. Turning to Exhibit T-101, that's  
2 described in Exhibit T-145 as January 30 to 31, 2008  
3 e-mails between Thomas Skold and [REDACTED] misspelled  
4 in T-145, on promotion.

5 Is that an accurate description of the  
6 document, Mr. Skold?

7 A. Yes, it is. [REDACTED] worked [REDACTED]  
8 [REDACTED].

9 Q. Is the document and its single page a  
10 true copy of the document as found in your file?

11 A. Yes, it is.

12 Q. Did you store the document as you would  
13 comparable, important business documents?

14 A. Yes, I did.

15 MR. ROCHFORD: We object to T-101 on  
16 relevance and hearsay grounds.

17 EXH (Trial Exhibit T-102, e-mail chain dated  
18 1/30/10 between Skold and [REDACTED] re promotion and  
19 business obstruction, not Bates numbered, marked for  
20 identification, as of this date.)

21 Q. Turning to Exhibit T-102, that's  
22 described as, in Exhibit T-145, as January 30, 2010  
23 e-mails between Thomas Skold and [REDACTED] on promotion  
24 and business obstruction.

25 Is that an accurate description of the

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1 document, Mr. Skold?

2 A. Yes, in regards to Restoraderm  
3 technology.

4 MR. ROCHFORD: Object -- note my  
5 objection to the characterization of T-102. I  
6 believe it's misleading and mischaracterizes the  
7 document.

8 Q. Is the document a true copy in its one  
9 page of the document as found in your files?

10 A. Yes, it is.

11 Q. Did you store the document in the  
12 ordinary course of business as you do with  
13 comparable, important business documents?

14 A. Yes, I did.

15 MR. ROCHFORD: We object to T-102 on  
16 relevance and hearsay grounds. We further object  
17 that it is not the best evidence as it does not  
18 contain the attachment referred to in that exhibit --

19 MR. JACKSON: Shall we go with the  
20 technician's advice and I'll try to dial in? Off the  
21 record, guys.

22 (Discussion off the record.)

23 MR. JACKSON: Back on the record.

24 EXH (Trial Exhibit T-103, e-mail chain dated  
25 1/28 through 2/10, 2010 between Skold and [REDACTED] re

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1 [REDACTED], not Bates numbered,  
2 marked for identification, as of this date.)

3 Q. So, turning to Exhibit T-103, that's  
4 described in Exhibit T-145 as January 28 to February  
5 10, 2010 e-mails between Thomas Skold and [REDACTED]  
6 indicating promotional activity with [REDACTED]  
7 [REDACTED]. Is that an accurate description of the  
8 document, Mr. Skold?

9 A. That's correct, and [REDACTED]  
10 [REDACTED]

11 Q. Is the document in its two pages a true  
12 copy of the document as found in your files?

13 A. Yes, it is.

14 Q. Did you store the document in the  
15 ordinary course of business as you would comparable,  
16 important business documents?

17 A. Yes, I did.

18 MR. ROCHFORD: We object to T-103 on  
19 relevance and hearsay grounds.

20 EXH (Trial Exhibit T-104, e-mail chain dated  
21 5/18/10, between Skold and [REDACTED] re promotion, not  
22 Bates numbered, marked for identification, as of this  
23 date.)

24 Q. Turning to Exhibit T-104, that's  
25 described in Exhibit T-145 as May 18th, 2010 e-mails

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1 between Thomas Skold and [REDACTED]

2 [REDACTED], on promotion. Is that an accurate  
3 description of the document, Mr. Skold?

4 A. It is.

5 Q. Is the document in its single page a  
6 true copy of the document as found in your files?

7 A. Yes, it is.

8 Q. Did you store the document in the  
9 ordinary course of business as you would with  
10 comparable, important business documents?

11 A. Yes, I did.

12 MR. ROCHFORD: We object to T-104 on  
13 relevance and hearsay grounds.

14 EXH (Trial Exhibit T-105, e-mail chain dated  
15 2/18 through 2/23, 2010, between Skold and [REDACTED] re  
16 teleconference, not Bates numbered, marked for  
17 identification, as of this date.)

18 Q. Turning to Exhibit T-105 that's  
19 described in Exhibit T-145 as February 18th to 23rd,  
20 2010 e-mails between Thomas Skold and [REDACTED]

21 [REDACTED] on a teleconference on  
22 promotion.

23 Is that an accurate description of the  
24 document, Mr. Skold?

25 A. Her name is [REDACTED], but yes, it

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1 is.

2 Q. Is the document in its two pages a true  
3 copy of the document as found in your files?

4 A. Yes, it is.

5 Q. Did you store the document in the  
6 ordinary course of business as you would with  
7 comparable, important business documents?

8 A. Yes, I did.

9 MR. ROCHFORD: We object to T-105 on  
10 relevance and hearsay grounds. We further object  
11 that the exhibit is not the best evidence as it does  
12 not contain the attachments referred to in the  
13 document.

14 EXH (Trial Exhibit T-106, e-mail dated 9/8,  
15 2010, [REDACTED] to Skold re recent meeting on promotion,  
16 not Bates numbered, marked for identification, as of  
17 this date.)

18 Q. Turning to Exhibit 106 that's described  
19 in Exhibit T-145 as September 8, 2010 e-mail from  
20 [REDACTED] to Thomas Skold,  
21 confirming recent meeting on promotion.

22 Is that an accurate description of the  
23 document, Mr. Skold?

24 A. Yes, it is.

25 Q. Is the document in its one page a true

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1 copy of the document as found in your files?

2 A. Yes, it is.

3 Q. Did you store the document in the  
4 ordinary course of business as you would with  
5 comparable, important business documents?

6 A. Yes, I did.

7 MR. ROCHFORD: We object to T-106 on  
8 relevance and hearsay grounds. We further object on  
9 best evidence grounds as the exhibit does not contain  
10 the attachments referred to.

11 Q. Mr. Skold, is the is the ~~exhibit~~ attachment  
12 referred to a public document in the form of an  
13 international patent application?

14 A. That's correct.

15 EXH (Trial Exhibit T-107, e-mail dated  
16 9/26/10, [REDACTED] to Skold, with attached  
17 translation and e-mails, marked for identification,  
18 as of this date.)

19 Q. Now, turning to Exhibit 107, that's  
20 described in Exhibit T-145 as, "September 26th, 2010  
21 e-mail from Ponsus in the persons of [REDACTED]  
22 with two S's to Thomas Skold discussing initiating a  
23 feasibility study on Restoraderm with a translation  
24 attached and including the attached e-mails of  
25 questions from [REDACTED].

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1 Is that an accurate description of the  
2 document?

3 A. It definitely is.

4 Q. If you look at page 2 of the document,  
5 Mr. Skold, is that an accurate translation of the  
6 e-mail?

7 (A pause in the proceedings.)

8 Q. Thomas? Thomas?

9 MR. JACKSON: We lost connection.

10 (A pause in the proceedings.)

11 MR. JACKSON: We're off the record for a  
12 moment.

13 (Discussion off the record.)

14 MR. JACKSON: All right, so we're back  
15 on the record.

16 Q. Thomas, is that an accurate translation?

17 MR. JACKSON: You can't hear me?

18 They obviously can't hear me. Well,  
19 this is on.

20 (Discussion off the record.)

21 MR. JACKSON: All right, we're back with  
22 Exhibit 107. And the question to Thomas is --

23 Q. -- is that an accurate translation on  
24 page 2?

25 A. Yes, it is.



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1 Q. Are pages 1 and 3 a true copy of the  
2 document as found in your files?

3 A. That is correct.

4 Q. Did you store pages 1 and 3 of  
5 Exhibit T-107 in the ordinary course of business as  
6 you do with comparable, important business documents?

7 A. With 1 and 3, yes.

8 Q. And page 2 is a translation that was  
9 added for the convenience of this proceeding, is that  
10 correct?

11 A. That is correct.

12 MR. ROCHFORD: We object to T-107 on  
13 relevance and hearsay grounds. We further object  
14 that the translation at page 2 of Exhibit T-107 is  
15 not accompanied by certification by a qualified  
16 interpreter as required by Federal Rules and so  
17 forth. And I took federal Rule 604, just so the  
18 record is clear.

19 EXH (Trial Exhibit T-108, e-mail chain dated  
20 11/15 to 11/19, 2010 between Skold and [REDACTED]  
[REDACTED], re promotions, not Bates numbered,  
22 marked for identification, as of this date.)

23 Q. Turning to Exhibit T-108, which is the  
24 same exhibit which was provided to Galderma at the  
25 earlier deposition, that exhibit is described in

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1 Exhibit T-145 as November 15th to 19th, 2010 e-mails  
2 between Thomas Skold and [REDACTED]  
3 [REDACTED], on promotion.

4 The first e-mail in this -- well, first  
5 I'll go with, Thomas, Mr. Skold, is that an accurate  
6 description of the document?

7 A. Yes, it is.

8 Q. The first e-mail in the string is from  
9 Skold to [REDACTED]?

10 A. [REDACTED], correct.

11 Q. Dated November 115th, 2010, subject  
12 Aruba, and the last e-mail in the string is from  
13 [REDACTED] to Thomas Skold with the subject being  
14 Re: SV: VB: Aruba/Technology."

15 Is that correct, Thomas?

16 A. That is correct. [REDACTED]

17 [REDACTED] used to work together at [REDACTED]

18 [REDACTED] O.

19 Q. Is the document in its three pages a  
20 true copy of the document as found in your files?

21 A. Yes, it is.

22 Q. Did you store the document in the  
23 ordinary course of business as you do with  
24 comparable, important business documents?

25 A. Yes, I did.

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1 MR. ROCHFORD: We object to T-108 on  
2 relevance and hearsay grounds.

3 EXH (Trial Exhibit T-109, e-mail chain dated  
4 11/27 to 11/30, 2010, between Skold and [REDACTED]  
5 [REDACTED]e, re stability data and promotion, not  
6 Bates numbered, marked for identification, as of this  
7 date.)

8 Q. Turning to Exhibit T-109 that's  
9 described in Exhibit T-145 as November 27th to 30th,  
10 2010 e-mails between Thomas Skold and [REDACTED]  
11 [REDACTED] on stability data and promotion.

12 Is that an accurate description of the  
13 document, Mr. Skold?

14 A. I would only add -- yes, it is. I would  
15 only add that it also included CDA signature.

16 Q. For the original, the CDA was in the  
17 original e-mail in the string.

18 A. Yes, correct.

19 Q. And that was from Thomas Wiggans to  
20 Thomas Skold, 27 November 2010?

21 A. That is correct.

22 Q. With the last e-mail in the string being  
23 from Thomas Skold to [REDACTED], copying [REDACTED]  
24 [REDACTED], dated November 30th, 2010?

25 A. That is correct.

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1 Q. Is that document in its two pages a true  
2 copy of the document as found in your files?

3 A. Yes, it is.

4 Q. Did you store the document in the  
5 ordinary course of business as you do with  
6 comparable, important business documents?

7 A. Yes, I did.

8 MR. ROCHFORD: We object to T-109 on  
9 relevance and hearsay grounds. We further object  
10 that the exhibit does not constitute the best  
11 evidence in that it's missing both a signature page  
12 for the CDA that's referred to in the exhibit, and  
13 also the Restoraderm formulation development report  
14 that is referred to as another attachment.

15 EXH (Trial Exhibit T-110, e-mail dated  
16 11/29/10, Skold to [REDACTED], not Bates numbered,  
17 marked for identification, as of this date.)

18 Q. Turning to Exhibit T-110, that's  
19 described in Exhibit T-145 as November 29, 2010  
20 e-mail, Thomas Skold to [REDACTED]

21 [REDACTED] on a signed CDA.

22 Is that an accurate description of the  
23 document, Mr. Skold?

24 A. [REDACTED]h, are part of  
25 the [REDACTED] who is an international

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1 pharmaceutical broker company with -- they are

2 [REDACTED].

3 Q. So the description is better, the  
4 description that you've just given, Mr. Skold, than  
5 the one found in Exhibit T-145?

6 A. Would you say it again? Sorry. Would  
7 you like to repeat --

8 Q. Let's rephrase. Please describe the  
9 document, Mr. Skold.

10 A. The T-110?

11 Q. Yes.

12 A. It's -- I'm returning the CDA signed  
13 with my name on it for us to initiate the work we had  
14 agreed upon.

15 MO MR. ROCHFORD: Object to form and move  
16 to strike as irrelevant and beyond the scope of this  
17 deposition.

18 Q. And the date on the e-mail is, and from  
19 whom to whom, Thomas, Mr. Skold?

20 A. It's from myself to [REDACTED]  
21 [REDACTED] on November 29th, 2010.

22 Q. Is the document in its single page a  
23 true copy of the documents found in your files?

24 A. Yes, it is.

25 Q. Did you store the document in the

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1 ordinary course of business as you do with  
2 comparable, important business documents?

3 A. Yes, I did.

4 MR. ROCHFORD: We object to T-110 on  
5 relevance and hearsay grounds. We further object on  
6 best evidence grounds since the attachment is not  
7 included.

8 EXH (Trial Exhibit T-111, e-mail chain dated  
9 11/2 through 11/4, 2011, between [REDACTED] and  
10 Skold, re Restoraderm, not Bates numbered, marked for  
11 identification, as of this date.)

12 Q. Turning to Exhibit T-111, that's  
13 described in Exhibit T-145 as November 2 to November  
14 4, 2011 e-mails between [REDACTED] and Thomas Skold  
15 on Restoraderm for promotion.

16 Is that an accurate description of the  
17 document, Mr. Skold?

18 A. Yes, I can only add it's a promotion to  
19 [REDACTED].

20 Q. Could you explain that?

21 A. [REDACTED] through Lone Norgaard and  
22 [REDACTED] and myself promoted Restoraderm  
23 technology to [REDACTED]  
24 [REDACTED].

25 MO MR. ROCHFORD: Move to strike as

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1 nonresponsive, beyond the scope of this deposition,  
2 and irrelevant.

3 Q. Is that document in its single page a  
4 true copy of the document as found in your files?

5 A. Yes, it is.

6 Q. Did you store the document in the  
7 ordinary course of business as you do with  
8 comparable, important by documents?

9 A. Yes, I did.

10 MR. ROCHFORD: We object to T-111 on  
11 relevance and hearsay grounds.

12 EXH (Trial Exhibit T-112, e-mail chain date  
13 2/11 through 5/17, 2010, between [REDACTED] and Skold re  
14 promotion, not Bates numbered, marked for  
15 identification, as of this date.)

16 Q. Turning to Exhibit T-112, that was  
17 described in Exhibit T-145 as February 11 to May  
18 17th, 2010 e-mails between [REDACTED] in the  
19 person of [REDACTED], one m, and Thomas Skold on  
20 promotion.

21 Is that an accurate description of the  
22 document, Mr. Skold?

23 A. Yes, it is.

24 Q. Is the document in its three pages a  
25 true copy of the document as found in your files?

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1 A. Yes, it is.

2 Q. Did you store the document in the  
3 ordinary course of business as to you with  
4 comparable, important business documents?

5 A. Yes, I did.

6 MR. ROCHFORD: We object to T-112 on  
7 relevance and hearsay grounds.

8 EXH (Trial Exhibit T-113, e-mail chain dated  
9 7/8 to 7/26, 2011 between Skold, [REDACTED]  
10 [REDACTED], re promotion, not Bates numbered,  
11 marked for identification, as of this date.)

12 Q. Turning to Exhibit T-113, that's  
13 described in Exhibit T-145 as July 8th to 26th, 2011  
14 e-mails between Thomas Skold and [REDACTED]  
15 [REDACTED], represented by [REDACTED] on  
16 promotion, is that an accurate description of the  
17 document, Mr. Skold?

18 A. [REDACTED] -- yes, it is, but [REDACTED]  
19 [REDACTED], as a joint venture, so this  
20 is a separate project that we are working on than the  
21 one [REDACTED] had on the last exhibit mentioned.

22 Q. Is the document in its five pages a true  
23 copy of the document as found in your files?

24 A. Yes, it is.

25 Q. Did you store the document in the



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1 ordinary course of business as you do with  
2 comparable, important business documents?

3 A. Yes, I did.

4 MR. ROCHFORD: We object to T-113 on  
5 relevance and hearsay grounds.

6 EXH (Trial Exhibit T-114, e-mail chain dated  
7 6/7 through 6/30, 2011, between [REDACTED] and Skold  
8 re promotion, not Bates numbered, marked for  
9 identification, as of this date.)

10 Q. Turning to Exhibit T-114, that's  
11 described in Exhibit T-145 as June 7th to June 30th,  
12 2011 e-mails between [REDACTED]  
13 [REDACTED], and Thomas Skold on  
14 promotion.

15 Is that an accurate description of the  
16 document, Mr. Skold?

17 A. It's accurate. I can add that Jim  
18 [REDACTED] name has come up earlier. And it, at  
19 that time, said [REDACTED] and now it says [REDACTED] I  
20 believe I mentioned at the time that [REDACTED] used to  
21 own [REDACTED] which is why there's a different name on  
22 his e-mail address this time.

23 Q. Is the document in its four pages a true  
24 copy of the document as found in your files?

25 A. Yes, it is.

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1 Q. Did you store the document in the  
2 ordinary course of business as you do with  
3 comparable, important business documents?

4 A. Yes, I did.

5 MR. ROCHFORD: We object to T-114 on  
6 relevance and hearsay grounds.

7 EXH (Trial Exhibit T-115, e-mail chain dated  
8 9/8 to 9/9, 2011 between Skold, [REDACTED] and  
9 Silvander re promotion, with CDA, not Bates numbered,  
10 marked for identification, as of this date.)

11 Q. Turning to Exhibit T-115, that's  
12 described in Exhibit T-145 as September 8th to 9th,  
13 2011 e-mails between Thomas Skold, [REDACTED]  
14 [REDACTED], and M. Silvander on promotion, and a CDA.

15 Is that an accurate description of the  
16 document?

17 A. I probably should add that since it's a  
18 little bit in Swedish in the top, it's a CDA between  
19 Mical, which is the joint venture between [REDACTED] [REDACTED]  
20 and [REDACTED], and between [REDACTED] and  
21 [REDACTED] which will be ~~in our~~ manufacturing  
22 clinical batches, [REDACTED].

TS  
TS

23 Q. So to clarify, Thomas, this is an  
24 e-mail, say, the last e-mail in the string is an  
25 e-mail from Thomas Skold to Mats Silvander?

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1 A. Correct. Who at that time was the  
2 manager of APL, Apoteketsbolaget.

3 Q. Is the document in its one page a true  
4 copy of the document that's found in your files?

5 A. Yes, it is.

6 Q. Did you store the document in the  
7 ordinary course of business as you do with  
8 comparable, important business documents?

9 A. Yes, I did.

10 MR. ROCHFORD: We object to T-115 on  
11 relevance and hearsay grounds. We further object on  
12 best evidence grounds as it does not include the  
13 attachment and it also includes foreign language  
14 statements without translation.

15 EXH (Trial Exhibit T-116, e-mail chain dated  
16 1/5 to 1/7, 2012, between Skold and [REDACTED] on  
17 promotion, not Bates numbered, marked for  
18 identification, as of this date.)

19 Q. Turning to Exhibit T-116, that's  
20 described in Exhibit T-145 as January 5th to 7th  
21 e-mails between Thomas Skold and [REDACTED]  
[REDACTED] on promotion.

23 Is that an accurate description of the  
24 document, Mr. Skold?

25 A. It's -- it's someone reaching out to

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1 catch up and eventually as a promotion by [REDACTED]  
[REDACTED]  
[REDACTED].

4 Q. But the e-mail, the last e-mail in the  
5 string is from [REDACTED] on September 7th, 2012  
6 to you?

7 A. That's correct.

8 Q. And [REDACTED] at this time has what  
9 position?

10 A. He is the [REDACTED] at this  
11 [REDACTED] company.

12 Q. The [REDACTED]

13 A. Correct.

14 MR. ROCHFORD: Object to form,  
15 relevance, beyond the scope.

16 Q. Is the document in its two pages a true  
17 copy of the document as found in your files?

18 A. Yes, it is.

19 Q. Did you store the document in the  
20 ordinary course of business as you do with  
21 comparable, important business documents?

22 A. Yes, I did.

23 MR. ROCHFORD: We object to T-116 on  
24 relevance and hearsay grounds.

25 EXH (Trial Exhibit T-117, e-mail chain dated

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1 1/20/12, between [REDACTED] and Skold, re promotion, not  
2 Bates numbered, marked for identification, as of this  
3 date.)

4 Q. Turning to Exhibit T-117, this is a --  
5 this is described in T-145 as January 20, 2012  
6 e-mails between [REDACTED]  
7 [REDACTED], and Thomas Skold on promotion.

8 Is that an accurate description of the  
9 document?

10 A. Yes, that's correct.

11 Q. Is the document in it's one page a true  
12 copy of the document as found in your files?

13 A. Yes, it is.

14 Q. Did you store the document in the  
15 ordinary course of business as you do with  
16 comparable, important business documents?

17 A. Yes, I did.

18 MR. ROCHFORD: We object to T-117 on  
19 relevance and hearsay grounds.

20 EXH (Trial Exhibit T-118, e-mail chain dated  
21 4/10 to 4/11, 2012, between [REDACTED] and Skold re  
22 promotions, not Bates numbered, marked for  
23 identification, as of this date.)

24 Q. Turning to Exhibit T-118 as described in  
25 Exhibit T-145 as April 10 to 11, 2012 e-mails between

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1 [REDACTED]

2 and Thomas Skold on promotions.

3 Do you agree with this description,  
4 Mr. Skold?

5 A. Yes, I do.

6 Q. Is the document in its two pages a true  
7 copy of the document as found in your files?

8 A. Yes, it is.

9 Q. Did you store the document in the  
10 ordinary course of business as you do with  
11 comparable, important business documents?

12 A. Yes, I did.

13 MR. ROCHFORD: We object to T-118 on  
14 relevance and hearsay grounds.

15 EXH (Trial Exhibit T-119, e-mail dated  
16 10/12/11, Skold to [REDACTED] with signed CDA, not Bates  
17 numbered, marked for identification, as of this  
18 date.)

19 Q. Turning to Exhibit T-119, that's  
20 described in Exhibit T-145 as October 12th, 2011  
21 e-mail from Thomas Skold to [REDACTED]

22 [REDACTED] on a signed CDA and a meeting on  
23 promotion.

24 Do you agree with that characterization,  
25 Mr. Skold?

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1 A. That's correct.

2 Q. Is the document in its one-page a true  
3 copy of the document as found in your files?

4 A. Yes, it is.

5 Q. Did you store the document in the  
6 ordinary course of business as you do with  
7 comparable, important business documents?

8 A. Yes, I did.

9 MR. ROCHFORD: We object to T-119 on  
10 relevance and hearsay grounds. And further, on best  
11 evidence grounds as it's only one page of the exhibit  
12 appears to be included as an attachment to T-119.

13 MR. JACKSON: Thomas, I think we have to  
14 amend --

15 Q. -- Mr. Skold, I think we have to amend a  
16 mistake. I believe the document includes the  
17 attached signature page.

18 A. It does.

19 EXH (Trial Exhibit T-120, e-mail dated  
20 2/1/13, Day to Skold re prospective promotion lead,  
21 not Bates numbered, marked for identification, as of  
22 this date.)

23 Q. Turning to Exhibit T-120, that's  
24 described in Exhibit T-145 as February 1, 2013 e-mail  
25 from Jeff Day to Thomas Skold on a prospective

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1 promotion lead.

2 Is that an accurate description of the  
3 document, Mr. Skold?

4 A. Yes, and I believe I actually saw this  
5 in Harrisburg in November as well.

6 Q. Is the document in its one page a true  
7 copy of the document as found in your files?

8 A. Yes, it is.

9 Q. Did you store the document in the  
10 ordinary course of business as you do with  
11 comparable, important business documents?

12 A. Yes, I did.

13 MR. ROCHFORD: We object to T-120 on  
14 relevance and hearsay grounds.

15 EXH (Trial Exhibit T-121, e-mail chain dated  
16 5/6 through 5/10, 2006, between Ford and Skold re  
17 licensing relationship, not Bates numbered, marked  
18 for identification, as of this date.)

19 Q. Turning to Exhibit T-121, that's  
20 described in Exhibit T-145 as May 6th to 10th, 2006  
21 e-mails between Greg Ford of CollaGenex and Thomas  
22 Skold on status of the licensing relationship.

23 Is that an accurate description of the  
24 document, Mr. Skold?

25 A. That's correct.



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1 Q. Is the document in its two pages a true  
2 copy of the document as found in your files?

3 A. Yes, it is.

4 Q. Did you store the document in the  
5 ordinary course of business as you do with  
6 comparable, important business documents?

7 A. Yes, I did.

8 MR. ROCHFORD: We object to T-121 on  
9 relevance and hearsay grounds.

10 EXH (Trial Exhibit T-122, e-mail chain dated  
11 5/11/06, between Ford and Skold, re licensing  
12 relationship, not Bates numbered, marked for  
13 identification, as of this date.)

14 Q. Turning to Exhibit T-122 that's  
15 described in Exhibit T-145 as May 11th, 2006 e-mails  
16 between Greg Ford of CollaGenex and Thomas Skold on  
17 status of the licensing relationship.

18 Is that an accurate description of the  
19 document?

20 A. That is correct.

21 Q. Is the document in its one page a true  
22 copy of the document as found in your files?

23 A. Yes, it is.

24 Q. Did you store the document in the  
25 ordinary course of business as you do with

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1 comparable, important business documents?

2 A. Yes, I did.

3 MR. ROCHFORD: We object to T-122 on  
4 relevance and hearsay grounds.

5 EXH (Trial Exhibit T-123, e-mail dated  
6 2/6/08, Powell to Skold, re licensing relationship,  
7 not Bates numbered, marked for identification, as of  
8 this date.)

9 Q. Turning to Exhibit T-123 that's  
10 described in Exhibit T-145 as February 6th, 2008  
11 e-mail, A. Powell to Thomas Skold on status of the  
12 licensing relationship; Thomas Skold seeking to  
13 terminate, and divestiture of the Restoraderm asset.

14 Is that an accurate description of the  
15 document, Mr. Skold?

16 A. Yes, that's correct.

17 Q. Is the document in its one page a true  
18 copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Was the document stored in the ordinary  
21 course of business as you do with comparable,  
22 important business documents?

23 A. Yes, I did.

24 MR. ROCHFORD: We object to T-123 on  
25 relevance and hearsay grounds.

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1 EXH (Trial Exhibit T-124, page from Epitan  
2 agreement missing from Exhibit T-11, previously  
3 marked, marked for identification, as of this date.)

4 Q. Turning to Exhibit T-124, that's  
5 described in Exhibit T-145 as a page from the Epitan  
6 agreement that was missing from the documents  
7 produced as SKOLD-00014-35, which happens to be  
8 Exhibit T-11.

9 Is that an accurate description of the  
10 document?

11 A. That's correct.

12 Q. Is the document a true copy of the  
13 document as found in your files?

14 A. Yes, it is.

15 Q. And in particular, the page of the  
16 Epitan agreement that it includes, sections 7.10 to  
17 the beginning of 8.3, Section 8.3?

18 A. That's correct.

19 Q. Was the document stored in the ordinary  
20 course of business as you do with comparable,  
21 important business documents?

22 A. Yes, it was.

23 Q. Turning to Exhibit T-127 --

24 MR. ROCHFORD: Excuse me, Art. We  
25 object to T-124 on relevance grounds.

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1 MR. JACKSON: Okay.

2 EXH (Trial Exhibit T-127, e-mail chain dated  
3 4/9 through 4/15, 2010, in Swedish, between Skold and  
4 [REDACTED] re promotion, not Bates numbered, marked for  
5 identification, as of this date.)

6 Q. Turning to Exhibit T-127, that's  
7 described in Exhibit 145, T-145, as April 9 to 15,  
8 2010 e-mails between Thomas Skold and [REDACTED] on  
9 promotion, is that an accurate description of the  
10 document, Mr. Skold?

11 A. It is, and I apologize that it's in [REDACTED]  
12 Swedish. Short description is that [REDACTED] at the  
13 time was a [REDACTED] company that just, 75  
14 soon after this, [REDACTED].

15 MR. ROCHFORD: Objection, relevance.

16 Q. All right. Is the document a true copy  
17 of the document as found in your files?

18 A. Yes, it is.

19 Q. Was the document stored in the ordinary  
20 course of business as you do with comparable,  
21 important business documents?

22 A. Yes, it was.

23 Q. In particular, we're speaking of a  
24 two-page document, is that correct?

25 A. And that is correct, too.

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1 MR. ROCHFORD: We object to T-127 on  
2 relevance and hearsay grounds. We further object on  
3 best evidence grounds as the attachments listed in  
4 T-127 are not attached and the message is in a  
5 foreign language without translation.

6 EXH (Trial Exhibit T-128, e-mail chain dated  
7 10/10 to 10/11, 2010, between Skold and [REDACTED]  
8 [REDACTED] re promotion, not Bates numbered,  
9 marked for identification, as of this date.)

10 Q. Turning to Exhibit T-128 --

11 A. Yes.

12 Q. -- that's described in Exhibit T-145 as  
13 October 10 to 11, 2010 e-mails between Thomas Skold  
14 and [REDACTED] on promotions. Is that  
15 an accurate description of the document?

16 A. That is correct.

17 Q. Is the document in its two pages a true  
18 copy of the document as found in your files?

19 A. Yes, it is.

20 Q. Did you store the document in the  
21 ordinary course as you do with comparable important  
22 business documents?

23 A. Yes, I do.

24 MR. ROCHFORD: We object to T-128 on  
25 relevance and hearsay grounds.

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1 EXH (Trial Exhibit T-129, CollaGenex Form  
2 10-K, fiscal year ending 12/31/01, marked for  
3 identification, as of this date.)

4 Q. Turning to Exhibit T-129, that's  
5 described in Exhibit T-145 as CollaGenex Form 10-K on  
6 the fiscal year that ended December 31, 2001.

7 Is that an accurate description of the  
8 document?

9 A. Yes, it came out in February 2002 when  
10 they at the same time announced that they had  
11 licensed the Restoraderm technology from me.

12 Q. Turning to Exhibit --

13 MR. ROCHFORD: Note our objection to  
14 T-129 on best evidence and authentication grounds.

15 EXH (Trial Exhibit T-131, press release  
16 dated 2/12/12 from CollaGenex, as published in  
17 Business Wire, not Bates numbered, marked for  
18 identification, as of this date.)

19 Q. Turning to Exhibit T-131, that's  
20 described in Exhibit T-145 as February 12th, 2012  
21 press release from CollaGenex on, "Restoraderm drug  
22 delivery technology," as published by Business Wire.

23 Is that an accurate description of the  
24 document?

25 A. That is correct. The day after we

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1 signed our licensing agreement.

2 Q. February 12th being the day after?

3 A. Correct.

4 EXH (Trial Exhibit T-134, e-mail dated  
5 2/14/02, Day to Skold re Procter & Gamble, not Bates  
6 numbered, marked for identification, as of this  
7 date.)

8 Q. Turning to Exhibit T-134, that's  
9 described in Exhibit T-145 as February 14th, 2002  
10 e-mail from Jeff Day to Thomas Skold regarding  
11 Procter & Gamble, is that an accurate description of  
12 the document, Mr. Skold?

13 A. Yes, it is.

14 Q. Is that document in its one page a true  
15 copy of the document as found in your files?

16 A. Yes, it is.

17 Q. Did you store the document in the  
18 ordinary course of business as you do with  
19 comparable, important business documents?

20 A. Yes, I did.

21 MR. ROCHFORD: We object to T-134 on  
22 relevance and hearsay grounds.

23 EXH (Trial Exhibit T-135, e-mail chain dated  
24 2/18/02 between Day and Skold re Optime, not Bates  
25 numbered, marked for identification, as of this

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1 date.)

2 Q. Turning to Exhibit T-135, that's  
3 described in Exhibit T-145 as February 18, 2002  
4 e-mails between Jeff Day and Thomas Skold regarding  
5 promotion to Optime.

6 Is that an accurate description of the  
7 document, Mr. Skold?

8 A. Yes, and I would add that it also  
9 includes some of CollaGenex consultants that they  
10 wanted me to contact and -- in the same e-mail, but I  
11 believe there was some attachment. I also sent a  
12 list of the components in the correct ratio between  
13 them.

14 Q. In the first e-mail in the string is  
15 where you --

16 A. Correct.

17 Q. -- you sent that listing. Is that  
18 document in its one page a true copy of the document  
19 as found in your files?

20 A. Yes, it is.

21 Q. Did you store the document in the  
22 ordinary course of business as you do with  
23 comparable, important business documents?

24 A. Yes, I did.

25 MR. ROCHFORD: We object to T-135 on



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1 relevance and hearsay grounds. We further object on  
2 best evidence grounds as it does not include the  
3 attachment Mr. Skold just testified about.

4 EXH (Trial Exhibit T-136, e-mail chain dated  
5 3/21 through 5/1, 2002, between Ashley, Gallagher,  
6 Romanowicz and Skold, not Bates numbered, marked for  
7 identification, as of this date.)

8 Q. Turning to Exhibit 136, this was  
9 described -- well, I'm going to let you describe this  
10 document, Mr. Skold. It includes -- let's say at the  
11 start that it's an e-mail string that starts March  
12 21, 2002 from Rob Ashley to Bob Gallagher and Mike  
13 Romanowicz re, a visit to ATS, and the string ends  
14 with an e-mail from Rob Ashley to Thomas Skold on May  
15 1st, 2002.

16 Could you describe the document further,  
17 Mr. Skold?

18 A. It is first a communication between Rob  
19 Ashley, CollaGenex, and Don Rindell from Advanced  
20 Tissue, talking about, among other things, the  
21 Restoraderm technology, and eventually promotion to  
22 ATS.

23 Q. Okay. By "communication," you mean an  
24 e-mail, do you not, Mr. Skold?

25 A. E-mail communication, that's correct.

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1 MO MR. ROCHFORD: We object to that  
2 testimony and move to strike it as nonresponsive,  
3 mischaracterizing the document and irrelevant.

4 Q. Is the document in its two pages a true  
5 copy of the document as found in your files,  
6 Mr. Skold?

7 A. Yes, it is.

8 Q. Did you store the document in the  
9 ordinary course of business as you do with  
10 comparable, important business documents?

11 A. Yes, I did.

12 MR. ROCHFORD: We object to T-136 on  
13 relevance and hearsay grounds. We further object to  
14 the authenticity of the first e-mail in this string  
15 dated Thursday, March 21, 2002 at 2:54 p.m. as  
16 Mr. Skold was not a party to that.

17 Q. Thomas, in the last e-mail in the  
18 string, were you not forwarded by Rob Ashley the  
19 e-mails that follow in the string?

20 A. Yes, I was.

21 Q. And forgive me if I'm repeating myself,  
22 is the document in its two pages a true copy of the  
23 document as found in your files?

24 A. Yes, it is.

25 Q. Did you store the document in the

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1 ordinary course of business as you do with  
2 comparable, important business documents?

3 A. Yes, I did.

4 Q. Turning to -- apologies, a little mixup  
5 here.

6 (A pause in the proceedings.)

7 EXH (Trial Exhibit T-137, e-mail chain dated  
8 4/29 through 5/3, 2002, between CollaGenex and Skold  
9 re promotion to Antares Pharma, not Bates numbered,  
10 marked for identification, as of this date.)

11 Q. No, turning to Exhibit 137, that  
12 document is described in Exhibit T-145 as April 29 to  
13 May 3, 2002 e-mails between CollaGenex and Thomas  
14 Skold on promotion to Antares Pharma, represented by  
15 Dario Carraras.

16 Is that an accurate description of the  
17 document, Mr. Skold?

18 A. That is correct.

19 Q. Is the document in its one page a true  
20 copy of the document found in your files?

21 A. Yes, it is.

22 Q. Was the document stored in the ordinary  
23 course of business as you do with comparable,  
24 important business documents?

25 A. Yes, it was.

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CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1 MR. ROCHFORD: We object to T-137 on  
2 relevance and hearsay grounds.

3 EXH (Trial Exhibit T-138, e-mail chain dated  
4 10/4 to 10/9, 2002, between CollaGenex and Skold re  
5 promotion to Fujisawa, not Bates numbered, marked for  
6 identification, as of this date.)

7 Q. Turning to Exhibit T-138, that's  
8 described in Exhibit T-145 as October 4 to October 9,  
9 2002 e-mails between CollaGenex and Thomas Skold on  
10 promotion to Fujisawa, represented by Hean Rumsfeld,  
11 Ortho, and Watson.

12 Is that an accurate description of the  
13 document, Mr. Skold?

14 A. That's correct.

15 Q. Is the document and its two pages a true  
16 copy of the document found in your files?

17 A. Yes, it is.

18 Q. Did you store the document in the  
19 ordinary course of business as you do with  
20 comparable, important business documents?

21 A. Yes, I did.

22 MR. ROCHFORD: We object to T-138 on  
23 relevance and hearsay grounds.

24 EXH (Trial Exhibit T-139, e-mail chain dated  
25 3/7 to 3/10, 2003, between CollaGenex and Skold re

TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1 promotion to Ortho, not Bates numbered, marked for  
2 identification, as of this date.)

3 Q. Turning to Exhibit T-139, that's  
4 described in Exhibit T-145 as March 7th to 10th, 2003  
5 e-mails between CollaGenex and Thomas Skold on  
6 promotion to Ortho. Is that an accurate description  
7 of the document, Mr. Skold?

8 A. That is correct.

9 Q. Is the document in its two pages a true  
10 copy of the document as found in your files?

11 A. Yes, it is.

12 Q. Did you store the document in the  
13 ordinary course of business as you do with  
14 comparable, important business documents?

15 A. Yes, I did.

16 MR. ROCHFORD: We object to T-139 on  
17 relevance and hearsay grounds.

18 EXH (Trial Exhibit T-141, e-mail chain dated  
19 10/2 to 10/4, 2003, between CollaGenex and Skold re  
20 promotion to Cardinal, not Bates numbered, marked for  
21 identification, as of this date.)

22 Q. Turning to Exhibit T-141, that's  
23 described in Exhibit 145 as October 2 to October 4,  
24 2003 e-mails between CollaGenex and Thomas Skold on  
25 promotion to Cardinal.

TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1 Is that an accurate description of the  
2 document, Mr. Skold?

3 A. Yes, it is.

4 Q. Is the document in its two pages a true  
5 copy of the document as found in your files?

6 A. Yes, it is.

7 Q. Did you store the document in the  
8 ordinary course of business as you do with  
9 comparable, important business documents?

10 A. Yes, I did.

11 MR. ROCHFORD: We object to T-141 on  
12 relevance and hearsay grounds.

13 EXH (Trial Exhibit T-142, e-mail chain dated  
14 9/18 to 10/24, 2003, between CollaGenex and Skold re  
15 promotion to Novartis, not Bates numbered, marked for  
16 identification, as of this date.)

17 Q. Turning to Exhibit T-142, that's  
18 described in Exhibit T-145 as September 18th to  
19 October 24, 2003 e-mails between CollaGenex and  
20 Thomas Skold on promotion to Novartis as represented  
21 by Katrin, and I can't -- and the next name is  
22 K-r-i-w-e-t, Kriwet.

23 Is that an accurate description of the  
24 document, Mr. Skold?

25 A. Yes, it is.

TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

**Public Version**

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1 Q. Is the document a true copy in its three  
2 pages of the document found in your files?

3 A. Yes, it is.

4 Q. Did you store the document in the  
5 ordinary course of business as you do with  
6 comparable, important business documents?

7 A. Yes, I did.

8 MR. ROCHFORD: We object to T-142 on  
9 relevance and hearsay grounds.

10 EXH (Trial Exhibit T-144, pages 1-3, 5-6,  
11 and 10 of meeting program of American Contact  
12 Dermatitis Society, 2/17/05, not Bates numbered,  
13 marked for identification, as of this date.)

14 Q. Exhibit T-144 is described in  
15 Exhibit T-145 as pages one through three, five  
16 through six and ten of the meeting program of the  
17 American Contact Dermatitis Society, 16th annual  
18 meeting, February 17th, 2005, as held in New Orleans,  
19 Louisiana.

20 Is that an accurate description of the  
21 document, Mr. Skold?

22 A. That is correct.

23 Q. Okay.

24 MR. JACKSON: That's my questions on  
25 that document, Mr. Rochford.

TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1 MR. ROCHFORD: Okay.

2 (A pause in the proceedings.)

3 MR. ROCHFORD: Do you have anything  
4 further for this witness, Mr. Jackson?

5 MR. JACKSON: Yes -- no, I have no --  
6 nothing further for this witness, Mr. Rochford.

7 MR. ROCHFORD: Okay. So you've  
8 concluded the special purpose deposition ordered by  
9 the Interlocutory Attorney.

10 MR. JACKSON: We have.

11 MR. ROCHFORD: The only point we'll make  
12 on the record is that a number of exhibits were shown  
13 today that contained highlighting and we take it that  
14 when you submit your --

15 MR. JACKSON: They do not. They do not  
16 have highlighting.

17 MR. ROCHFORD: I'm sorry?

18 MR. JACKSON: They will not have  
19 highlighting. The documents submitted to the  
20 reporter have no highlighting.

21 MR. ROCHFORD: That's what I wanted to  
22 clarify. Thank you for the clarification.

23 MR. JACKSON: Are we done, then?

24 MR. ROCHFORD: Yes, thank you.

25 (A pause in the proceedings.)



TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1 MR. JACKSON: Mr. Rochford, are you  
2 still there?

3 MR. ROCHFORD: Sure.

4 MR. JACKSON: Did you hear Mr. Levy's  
5 question?

6 (A pause in the proceedings.)

7 MR. ROCHFORD: I'll leave Ms. Congleton  
8 to ring in on that. She's still on the line. I  
9 guess she's on mute. Art, what are you ordering  
10 here?

11 MR. JACKSON: I just want the official  
12 transcript.

13 MR. ROCHFORD: We'll take a copy, thank  
14 you.

15 MR. JACKSON: You want one copy, right,  
16 Mr. Rochford?

17 MR. ROCHFORD: Correct.

18 MR. JACKSON: Okay. And then I think  
19 we're off the record. And thank you.

20 (Signature having not been waived  
21 the deposition of THOMAS SKOLD was concluded  
22 at 12:55 p.m.)  
23  
24  
25

**Public Version**  
TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

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ACKNOWLEDGMENT OF DEPONENT

I, THOMAS SKOLD, the witness  
herein, having read the foregoing testimony of the  
pages of this deposition, do hereby certify it to be  
a true and correct transcript, subject to the  
corrections, if any, made in the transcript, above.

07/02-2014

(DATE)

*Thomas Skold*

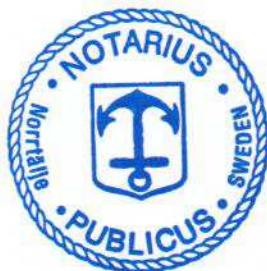
(SIGNATURE)

I, the undersigned, notary public of Norrtälje,  
Sweden, hereby certify that *THOMAS SKOLD*

has personally signed this document.

Norrtälje

*2014-02-07*



*Marie Sandberg*  
notary public  
*MARIE SANDBERG*

TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

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C E R T I F I C A T E

I, DAVID LEVY, a Certified Court Reporter,  
Certified Livenote Reporter and Notary Public within  
and for the State of New Jersey, do hereby certify:

That THOMAS SKOLD, the witness whose deposition  
is hereinbefore set forth, was duly sworn by me before  
the commencement of such deposition, and that such  
deposition was taken before me and is a true record of  
the testimony given by such witness;

I further certify that the adverse party,  
Galderma Laboratories, Inc., was represented by  
counsel at the deposition;

I further certify that the deposition of Thomas  
Skold occurred at the offices of Cechert LLP, Suite  
500, 902 Carnegie Center, Princeton, NJ 08540-6531, on  
Tuesday, January 14, 2014, commencing at 9:21 a.m.

I further certify that the inspection, reading  
and signing of said deposition were not waived by  
counsel for the respective parties and for the  
witness;

TELEPHONIC DEPOSITION OF THOMAS SKOLD  
CONDUCTED ON TUESDAY, JANUARY 14, 2014

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1 I further certify that I am not related to any  
2 of the parties to this action by blood or marriage, I  
3 am not employed by or an attorney to any of the  
4 parties to this action, and that I am in no way  
5 interested, financially or otherwise, in the outcome  
6 of this matter.

7 IN WITNESS WHEREOF, I have hereunto set my hand  
8 this 19th day of January, 201 .

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DAVID LEVY, CSR, RPR, CLR

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration Nos. 2985751; and 3394514

Dated: August 16, 2005 & March 11, 2008, Respectively

Thomas Sköld, Petitioner	)	
	)	
v.	)	
	)	Cancellation No. 92052897
Galderma Laboratories, Inc., Registrant	)	
	)	

**SKÖLD NOTICE OF FILING SKÖLD SUPPLEMENTAL DEPOSITION EXHIBITS**

Pursuant to 37 CFR 1.123(h), Petitioner herewith files true copies of the exhibits introduced in the Supplemental Deposition of Thomas Sköld, taken 14 January 2014. The exhibits filed herewith are those checked in the tables below. Given the volume of documents, it is anticipated that a number of electronic filings will be necessary.

**TRADE SECRET/COMMERCIALLY SENSITIVE EXHIBITS<sup>1</sup>**

T30	<input type="checkbox"/>	T39	<input type="checkbox"/>	T66	<input type="checkbox"/>	T105	<input type="checkbox"/>	T114	<input type="checkbox"/>
T31	<input type="checkbox"/>	T40	<input type="checkbox"/>	T67	<input type="checkbox"/>	T106	<input type="checkbox"/>	T115	<input type="checkbox"/>
T32	<input type="checkbox"/>	T41	<input type="checkbox"/>	T68	<input type="checkbox"/>	T107	<input type="checkbox"/>	T116	<input type="checkbox"/>
T33	<input type="checkbox"/>	T42	<input type="checkbox"/>	T99	<input type="checkbox"/>	T108	<input type="checkbox"/>	T117	<input type="checkbox"/>
T34	<input type="checkbox"/>	T43	<input type="checkbox"/>	T100	<input type="checkbox"/>	T109	<input type="checkbox"/>	T118	<input type="checkbox"/>
T35	<input type="checkbox"/>	T44	<input type="checkbox"/>	T101	<input type="checkbox"/>	T110	<input type="checkbox"/>	T119	<input type="checkbox"/>
T36	<input type="checkbox"/>	T49	<input type="checkbox"/>	T102	<input type="checkbox"/>	T111	<input type="checkbox"/>	T120	<input type="checkbox"/>
T37	<input type="checkbox"/>	T64	<input type="checkbox"/>	T103	<input type="checkbox"/>	T112	<input type="checkbox"/>	T127	<input type="checkbox"/>
T38	<input type="checkbox"/>	T65	<input type="checkbox"/>	T104	<input type="checkbox"/>	T113	<input type="checkbox"/>	T128	<input type="checkbox"/>

**CONFIDENTIAL EXHIBITS<sup>1</sup>**

T13	<input type="checkbox"/>	T23	<input type="checkbox"/>	T25	<input type="checkbox"/>	T29	<input type="checkbox"/>	T51	<input type="checkbox"/>
T22	<input type="checkbox"/>	T24	<input type="checkbox"/>	T26	<input type="checkbox"/>	T46	<input type="checkbox"/>	T124	<input type="checkbox"/>

<sup>1</sup> Sent to Registrant's counsel by mail under separate cover.

**PUBLIC DOCUMENTS EXHIBITS<sup>2</sup>**

T4	<input checked="" type="checkbox"/>	T41	<input checked="" type="checkbox"/>	T78	<input checked="" type="checkbox"/>	T107	<input checked="" type="checkbox"/>	T142	<input checked="" type="checkbox"/>
T5	<input checked="" type="checkbox"/>	T42	<input checked="" type="checkbox"/>	T79	<input checked="" type="checkbox"/>	T108	<input checked="" type="checkbox"/>	T144	<input checked="" type="checkbox"/>
T10	<input checked="" type="checkbox"/>	T43	<input checked="" type="checkbox"/>	T80	<input checked="" type="checkbox"/>	T109	<input checked="" type="checkbox"/>		
T13	<input checked="" type="checkbox"/>	T44	<input checked="" type="checkbox"/>	T81	<input checked="" type="checkbox"/>	T110	<input checked="" type="checkbox"/>		
T14	<input checked="" type="checkbox"/>	T45	<input checked="" type="checkbox"/>	T82	<input checked="" type="checkbox"/>	T111	<input checked="" type="checkbox"/>		
T16	<input checked="" type="checkbox"/>	T46	<input checked="" type="checkbox"/>	T83	<input checked="" type="checkbox"/>	T112	<input checked="" type="checkbox"/>		
T17	<input checked="" type="checkbox"/>	T47	<input checked="" type="checkbox"/>	T84	<input checked="" type="checkbox"/>	T113	<input checked="" type="checkbox"/>		
T18	<input checked="" type="checkbox"/>	T48	<input checked="" type="checkbox"/>	T85	<input checked="" type="checkbox"/>	T114	<input checked="" type="checkbox"/>		
T19	<input checked="" type="checkbox"/>	T49	<input checked="" type="checkbox"/>	T86	<input checked="" type="checkbox"/>	T115	<input checked="" type="checkbox"/>		
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T24	<input checked="" type="checkbox"/>	T54	<input checked="" type="checkbox"/>	T91	<input checked="" type="checkbox"/>	T120	<input checked="" type="checkbox"/>		
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T26	<input checked="" type="checkbox"/>	T56	<input checked="" type="checkbox"/>	T93	<input checked="" type="checkbox"/>	T122	<input checked="" type="checkbox"/>		
T28	<input checked="" type="checkbox"/>	T57	<input checked="" type="checkbox"/>	T94	<input checked="" type="checkbox"/>	T123	<input checked="" type="checkbox"/>		
T29	<input checked="" type="checkbox"/>	T60	<input checked="" type="checkbox"/>	T95	<input checked="" type="checkbox"/>	T124	<input checked="" type="checkbox"/>		
T30	<input checked="" type="checkbox"/>	T62	<input checked="" type="checkbox"/>	T96	<input checked="" type="checkbox"/>	T127	<input checked="" type="checkbox"/>		
T31	<input checked="" type="checkbox"/>	T63	<input checked="" type="checkbox"/>	T97	<input checked="" type="checkbox"/>	T128	<input checked="" type="checkbox"/>		
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T35	<input checked="" type="checkbox"/>	T67	<input checked="" type="checkbox"/>	T101	<input checked="" type="checkbox"/>	T135	<input checked="" type="checkbox"/>		
T36	<input checked="" type="checkbox"/>	T68	<input checked="" type="checkbox"/>	T102	<input checked="" type="checkbox"/>	T136	<input checked="" type="checkbox"/>		
T37	<input checked="" type="checkbox"/>	T72	<input checked="" type="checkbox"/>	T103	<input checked="" type="checkbox"/>	T137	<input checked="" type="checkbox"/>		
T38	<input checked="" type="checkbox"/>	T75	<input checked="" type="checkbox"/>	T104	<input checked="" type="checkbox"/>	T138	<input checked="" type="checkbox"/>		
T39	<input checked="" type="checkbox"/>	T76	<input checked="" type="checkbox"/>	T105	<input checked="" type="checkbox"/>	T139	<input checked="" type="checkbox"/>		
T40	<input checked="" type="checkbox"/>	T77	<input checked="" type="checkbox"/>	T106	<input checked="" type="checkbox"/>	T141	<input checked="" type="checkbox"/>		

Respectfully submitted,

Date: July 1, 2014

By: /Arthur E. Jackson/  
 Arthur E. Jackson, Esq.  
 New Jersey Bar No. 00288-1995  
 ajackson@mtiplaw.com  
 MOSER TABOADA  
 1030 Broad Street, Suite 203  
 Shrewsbury, NJ 07702  
 (732) 935-7100  
 (732) 935-7122  
 Attorney for Petitioner

<sup>2</sup> Sent to Registrant's counsel by e-mail under separate cover.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Thomas Sköld,	)	
Petitioner,	)	
	)	
v.	)	
	)	Cancellation No. 92052897
Galderma Laboratories, Inc.,	)	
Registrant	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Sköld Notice of Filing Sköld Supplemental Deposition Exhibits and the documents referred to therein were sent by email or U.S. Mail (as referenced above) on this 1<sup>st</sup> day of July, 2014 to:

Jeff Becker, Esq.  
Haynes and Boone, LLP  
2323 Victory Avenue - Suite 700  
Dallas, TX 75219  
jeff.becker@haynesboone.com

/Arthur E. Jackson/  
\_\_\_\_\_  
Arthur E. Jackson

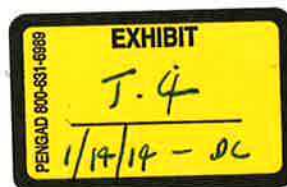
Exhibit T 4  
Skold v. Galderma  
Cancellation No. 92052897

Exl  
November

~~CONFIDENTIAL~~

**Public**

Sköld v. Galderma  
Cancellation No. \_\_\_\_\_  
Re Registration Nos. 2985751 and 3394514





November 27, 2009

GALDERMA

LABORATORIES, I.P.

14501 N. Freeway

Forc Worth,

TX 76177

76177

Tel: (817) 951-5000

Mr. Thomas Skold  
Bjorne Gard  
SE-761 41 Norrtälje  
Sweden

**RE: August 19, 2004 Asset Purchase and Product Development Agreement**

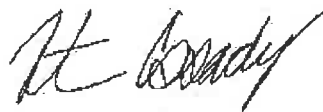
Dear Mr. Skold:

Pursuant to Paragraph 8.2 of the August 19, 2004 Asset Purchase and Product Development Agreement ("Agreement") between you and Galderma Laboratories, Inc. ("Galderma"), please accept this letter as formal notice that Galderma is terminating the Agreement effective November 27, 2009.

In accordance with Paragraph 8.5(b), we will return applicable materials, documents, and/or information to you.

Thank you for your attention to this matter.

Best regards,



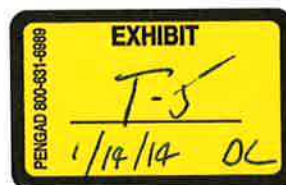
Quintin Cassidy  
Vice President and General Counsel

**Exh**

Exhibit	T 5
Skold v. Galderma	
Cancellation No. 92052897	

  
(Patent Assignment)

Sköld v. Galderma  
Cancellation No. \_\_\_\_  
Re Registration Nos. 2985751 and 3394514



# 132,405 ASSIGNMENT OF PATENTS

WHEREAS, Galderma Laboratories, Inc., ("Assignor"), a corporation, having its main office and place of business at 11 North Freeway, Fort Worth, Texas 76177 U.S.A. is the owner of the entire right, title and interest in and to the following United States patent application(s) and all corresponding non-US patent applications including those listed below:

Country	Application Number	Filing Date	Title
US	10/388,371	03/13/2003	Water-Based Topical Delivery System
US	10/957,320	09/30/2004	Water-Based Delivery Systems
US	12/082,406	04/09/2008	Water-Based Delivery Systems
US	12/290,455	10/30/2008	Water-Based Delivery Systems
US	60/365,059	03/13/2002	Water-Based Topical Delivery System
US-PCT	WO2003US07752	03/13/2003	Water-Based Delivery Systems
US-PCT	WO2005US35531	09/30/2005	Water-Based Delivery Systems
Country	Application Number	Country	Application Number
AU-Australia	2003233396	JP-Japan	2003-575915
AU-Australia	2007211879	KR-Korea (South)	2004-7014070
CA-Canada	2,476,859	NZ-New Zealand	534377
EP-European Pat. Org	03728242.3		

AND WHEREAS, Thomas Sköld ("Assignee"), an individual residing at Björns Gård, S-71 41, Norrtälje, Sweden, is desirous of acquiring said right, title and interest;

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign and transfer to Assignee and its successors and assigns, the entire right, title and interest in and to the above-identified patents applications, including all reissues, divisions, continuations, continuation-in-part, and extensions and foreign counterparts thereof, to be held and enjoyed by Assignee as fully and entirely as it would have been held and enjoyed by Assignor if this assignment had not been made, including all claims, demands and right recovery that Assignor has or may have in profits and damages for past and future infringements, if any, and all rights to compromise, sue for, and collect such profits and damages.

In the event of any inconsistency between this Assignment and Article 8 of the August 19, 2004 Asset Purchase and Product Development Agreement between Thomas Sköld and CollaGenex Pharmaceuticals, Inc. (to which company Galderma Laboratories, Inc. is the successor in interest), Article 8 shall be controlling.

This Agreement may be executed in any number of counterparts and each such counterpart shall be deemed to be an original.

For Galderma Laboratories, Inc.

Name: Quintin Cassidy  
Title: Vice President

Dated: February 22, 2010

STATE OF TEXAS

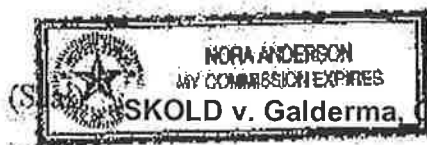
COUNTY OF DENTON

For Thomas Sköld

Name: Thomas Sköld

On this 22nd day of February, 2010 before me appeared Quintin Cassidy, the person who signed this instrument and acknowledged that he signed it as a free act on behalf of Galderma Laboratories, Inc.

Notary Public



Cancellation No. 92052897, Exhibit Book p. 49

TS-000049

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~~CONFIDENTIAL~~

Från: Sheila Kennedy [mailto:skennedy@collagenex.com]  
Skickat: den 22 oktober 2002 23:33  
Till: thomas-skold@swipnet.se  
Ämne: Conference call

**Public**

Thomas,

I hope you are doing well. Jeff suggested that I contact you as I am working on developing the packaging for the moisturizer and the lidocaine product.

Would you be available next week for a conference call with me and the advertising agency to explain the Restoraderm delivery system and walk us through the power point presentation? Monday or Tuesday at 9:30 a.m. would be best for us.

Thanks.

Sheila Kennedy  
Director, Product Marketing  
CollaGenex Pharmaceuticals, Inc.  
(215) 579-7388  
(215) 579-8577 (fax)  
[skennedy@collagenex.com](mailto:skennedy@collagenex.com)

Exhibit **T 10**  
Skold v. Galderma  
Cancellation No. 92052897



# CONFIDENTIAL

## FIRST AMENDMENT TO CO-OPERATION, DEVELOPMENT AND LICENSING AGREEMENT

THIS AGREEMENT ("the Agreement") is made and effective the 11th day of February, 2002 and is amended xxth day of xx, 2003 by and between:-

1. COLLAGENEX PHARMACEUTICALS INC., a company organised and existing under the laws of the State of Delaware, United States of America and having its principal place of business at 41 University Drive, Suite 200, Newtown, Pennsylvania 18940, United States of America (hereinafter "CollaGenex");

and

2. THOMAS SKOLD, a citizen and resident of Sweden of Bjomo Gard, S-761 41 Norrtälje, Sweden (hereinafter "Skold").

Exhibit	T 13
Skold v. Galderma	
Cancellation No. 92052897	

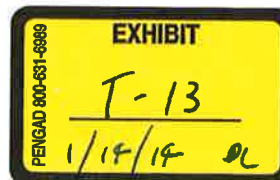
- (A) WHEREAS Skold is developing, will continue to develop and has rights to the Technology (as defined hereafter) and the potential Products (as defined hereafter) resulting there from and desires to develop said technology in conjunction with CollaGenex in accordance with the terms and conditions hereof; and
- (B) WHEREAS CollaGenex is desirous to participate in and control the development of the technology as defined herein and to obtain all rights thereto in accordance with the terms and conditions hereof;

NOW, THEREFORE, in consideration of the premises and mutual covenants and agreements hereinafter contained, the parties hereto, intending to be legally bound, hereby undertake and agree as follows:-

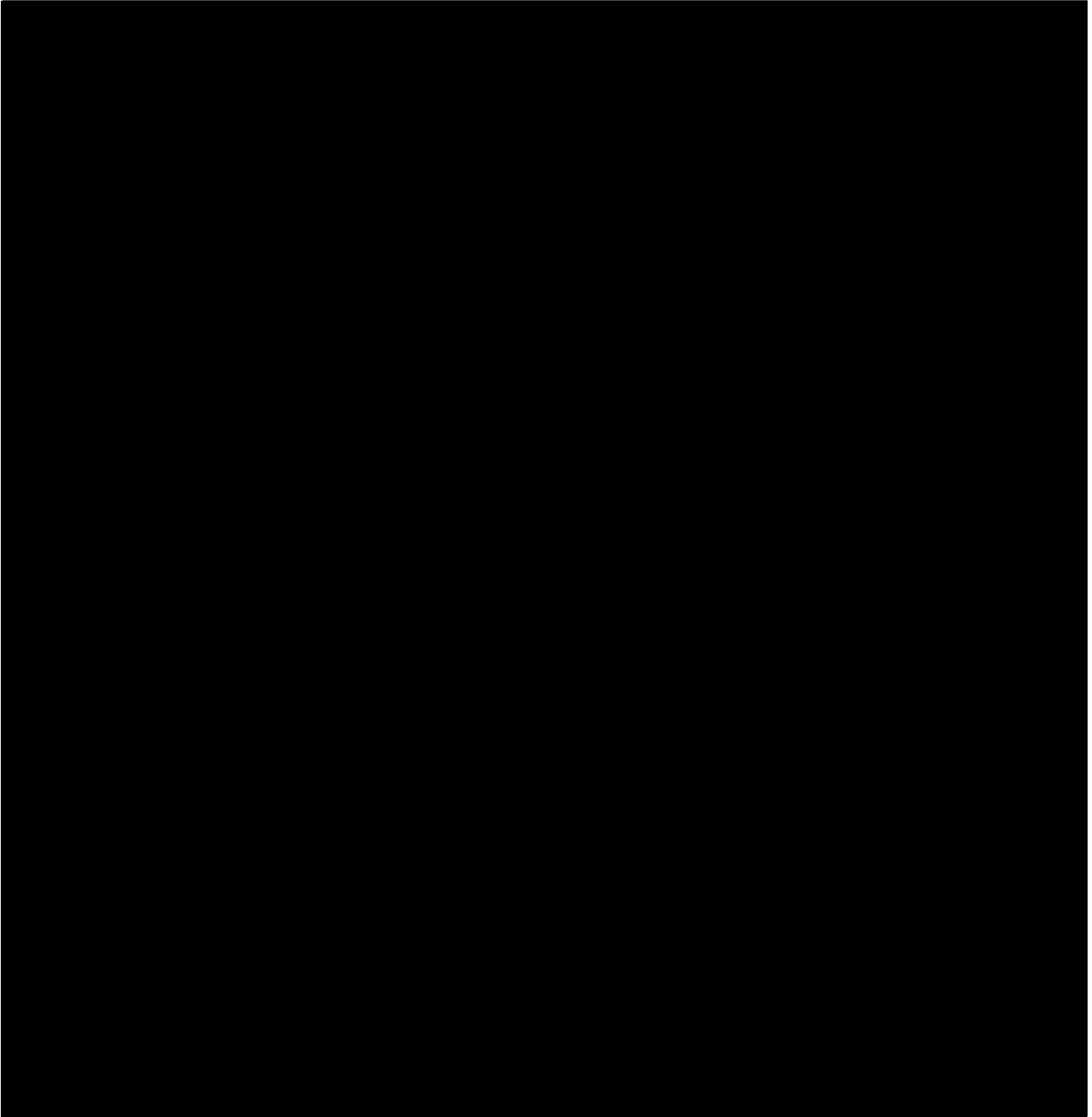
### 1. DEFINITIONS

- 1.1. The term "Affiliate" shall mean any entity in which the party has a direct or indirect equity interest or income interest ownership of at least fifty per cent (50%) or more, or any entity which, directly or indirectly, through one or more intermediaries, controls or is controlled by, or is under common control with the party.
- 1.2. The term "Confidential Information" shall mean any and all information or any portion thereof howsoever disclosed to or otherwise acquired or observed by either party or its employees, agents or Affiliates (each individually referred to as a "Recipient") either directly or indirectly from the other party, including, but not limited to, the technology and/or the products resulting there from as defined herein, enhancements, modifications, discoveries, claims, formulae, processes, apparatuses, research, development, patents, Confidential Information, Know-how as defined herein, trade secrets, knowledge, Marketing Authorisations (as defined herein), designs, specifications, drawings, concepts, data, reports, methods, documentation, methodology, pricing, marketing and sales plans, customer lists, collaborators, salaries or business affairs and any other information or knowledge owned or developed or controlled by either party except for information which the Recipient can demonstrate:-
  - (a) was at the time of disclosure to such Recipient part of the public domain or thereafter becomes part of the public domain through no act or omission by such Recipient; or
  - (b) was lawfully in such Recipient's possession as evidenced by written records prior to disclosure by the disclosing party and without any obligation of confidentiality; or

PRINCETON 92754v2

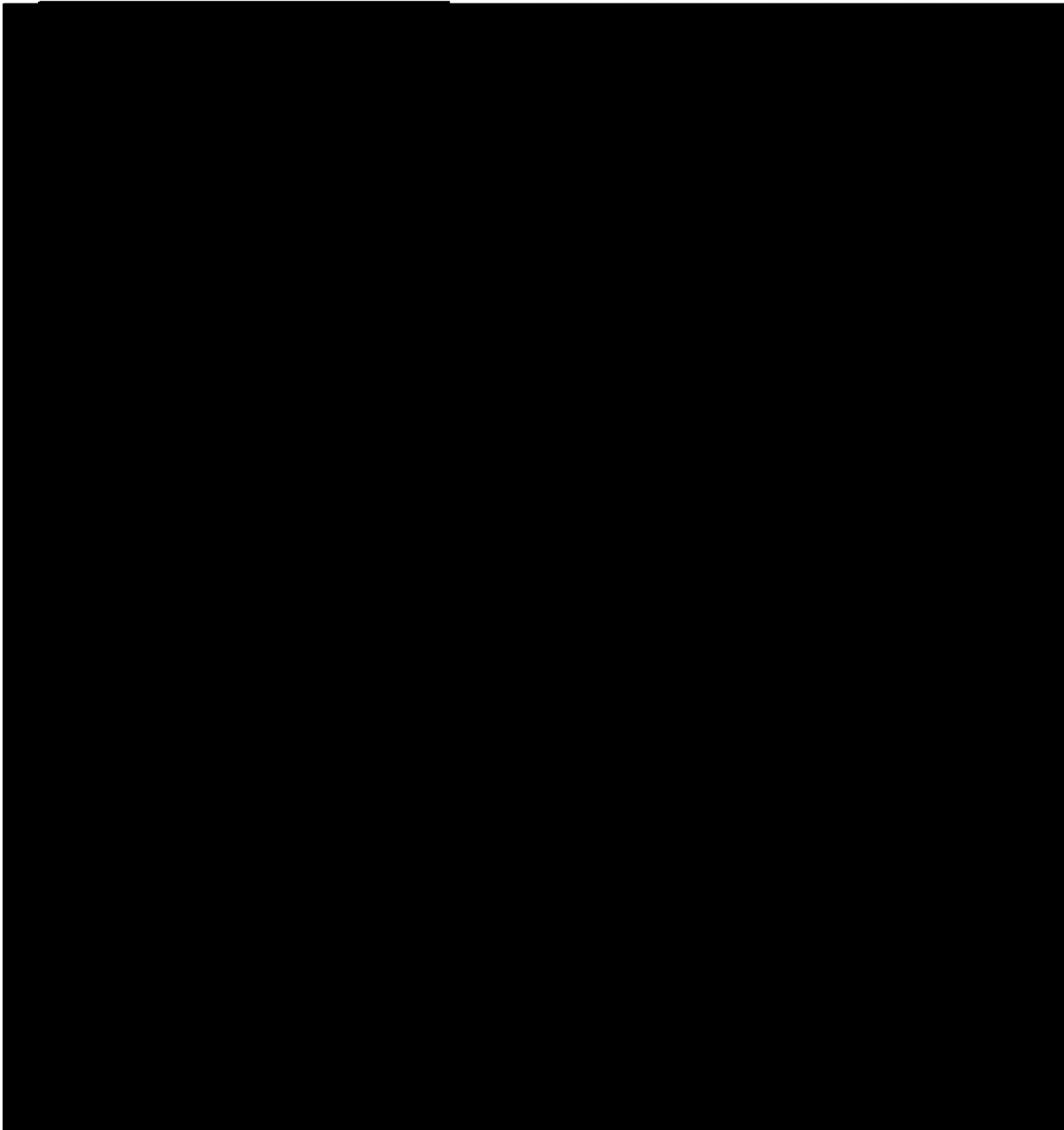


**Public**

- CONFIDENTIAL**
- (c) was lawfully received by such Recipient after disclosure from a third party without obligation of confidentiality and without violation by said third party of any obligation of confidentiality to another party; or
  - (d) was required to be disclosed by law or court order; or
  - (e) was independently developed by the Recipient without reference to or reliance on any of the Confidential Information.
- 



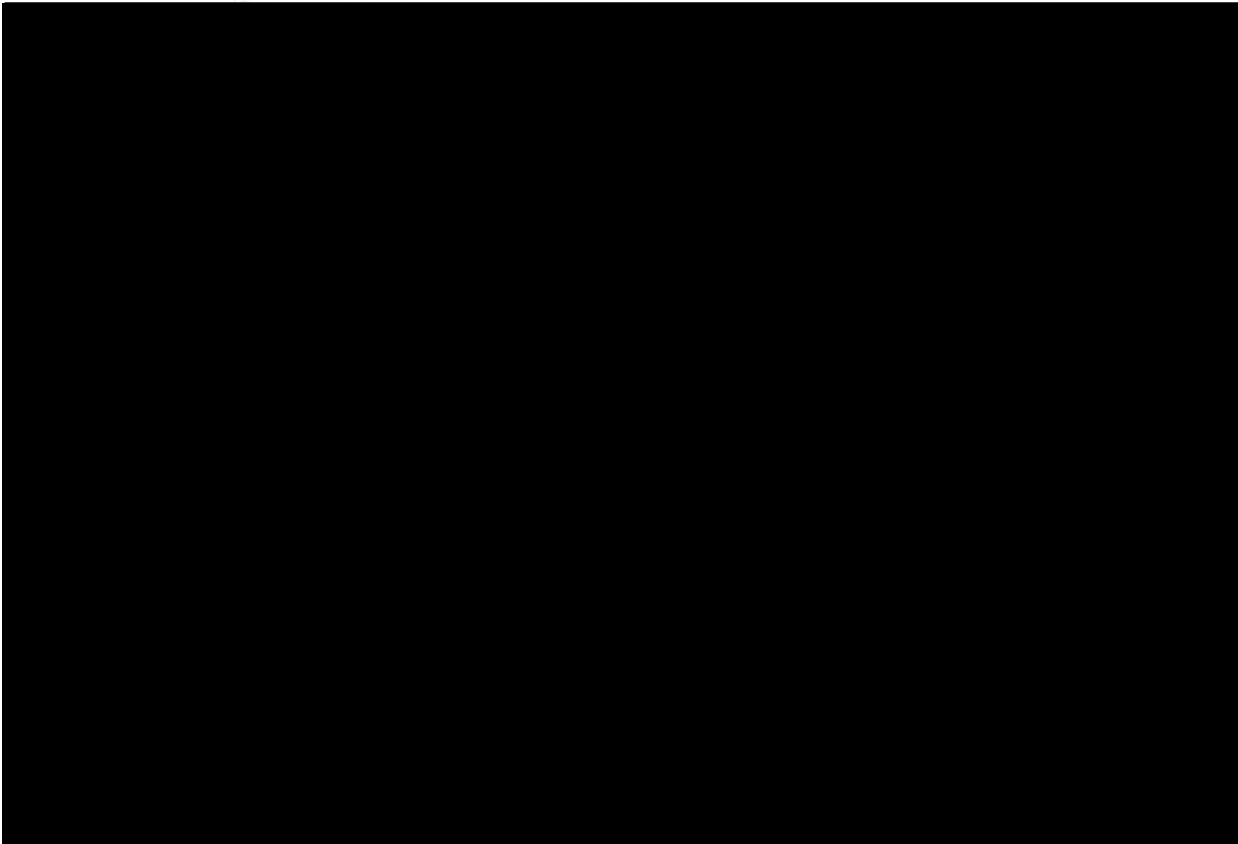
2. GRANT OF RIGHTS



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3. PAYMENTS FOR RIGHTS





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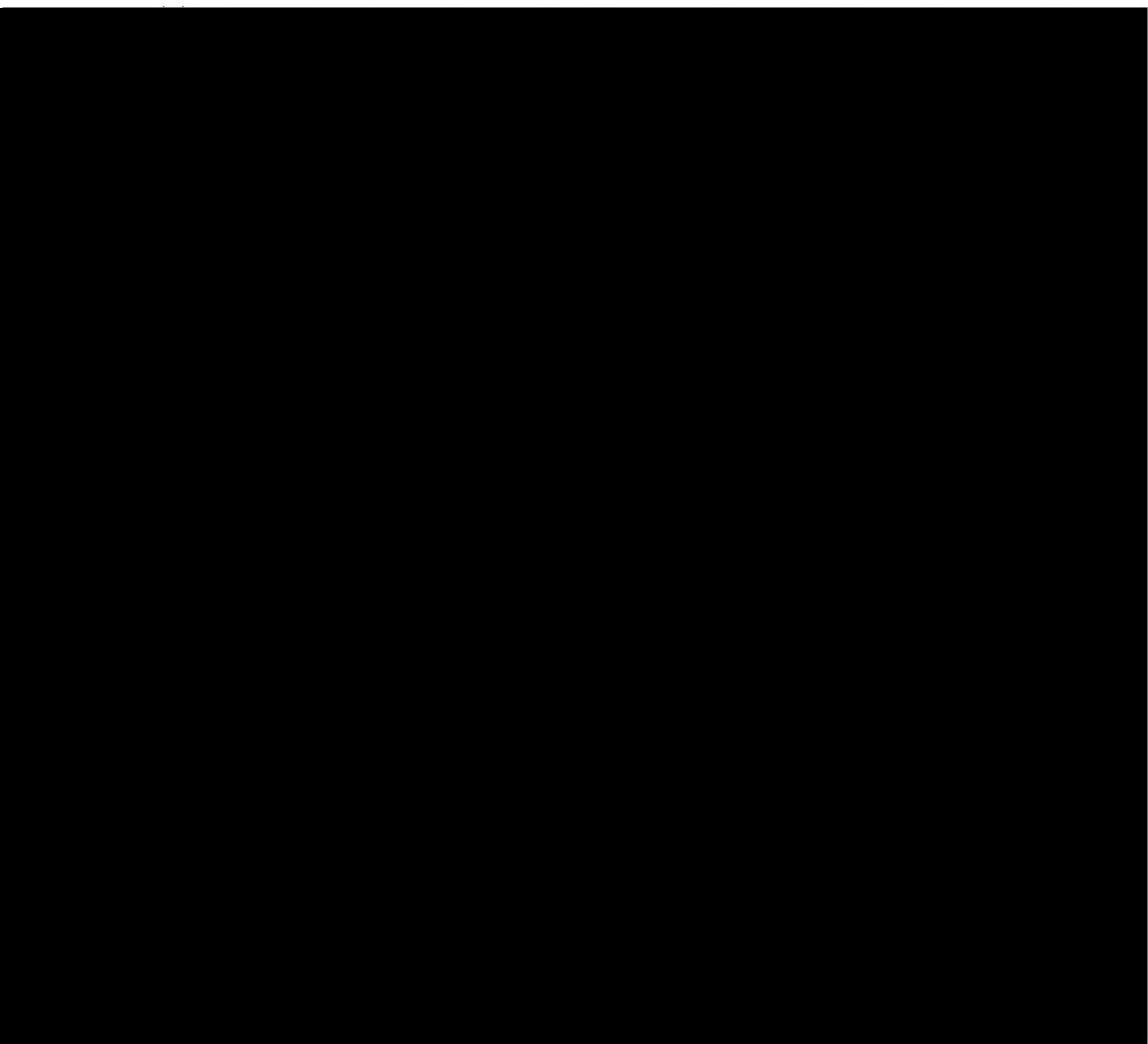
and the royalty due.

PRINCETON 92754v2

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CONFIDENTIAL



- 3.4. In addition to the sums set out above, CollaGenex shall pay the following sums to Skold:-
- 

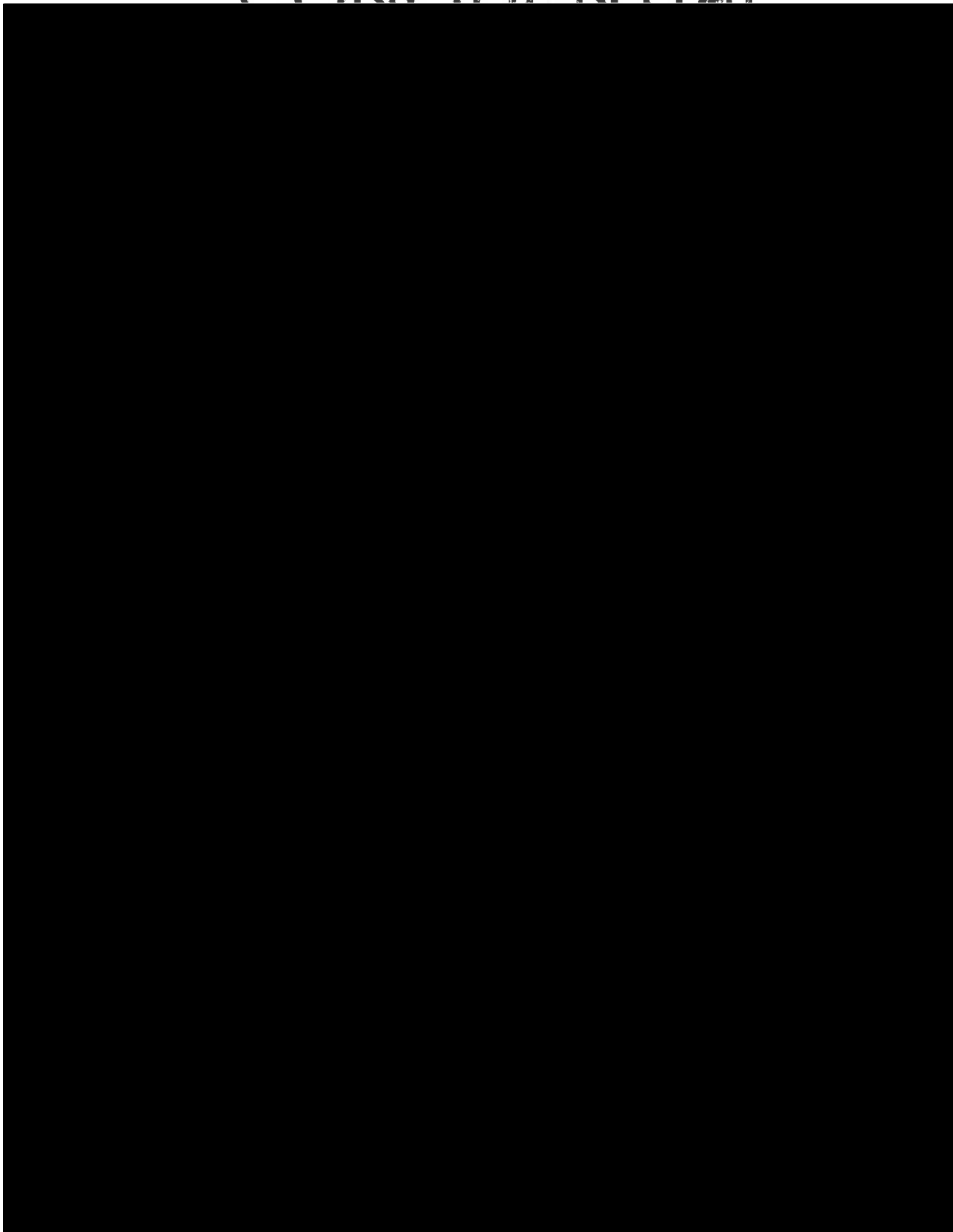
4. INTELLECTUAL PROPERTY

4.1. Patents

PRINCETON 92754v2

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PRINCETON 92754v2

7

5. REPRESENTATIONS, WARRANTIES AND COVENANTS OF THE PARTIES

5.1. CollaGenex represents and warrants to Skold that:-



5.2. Skold hereby warrants and represents to CollaGenex that, to his knowledge:-



[REDACTED]

6. INDEMNIFICATION AND INSURANCE

[REDACTED]

# CONFIDENTIAL

## 7. MARKETING AUTHORISATIONS

## 8. CONFIDENTIALITY

- 8.1. Except to the extent expressly authorised in this Agreement or otherwise agreed between the parties in writing, the parties agree that for the Term and for a period of seven (7) years thereafter, the Recipient shall keep completely confidential and not publish or cause to be published any Confidential Information furnished to it by the other party or developed pursuant to this Agreement. Each Recipient acknowledges that the other party or any other owner of Confidential Information (which may include Affiliates of CollaGenex) would suffer irreparable harm if the Recipient were to violate any of the foregoing undertakings and therefore agrees that, in addition to any other remedies such other party may have, the other party shall be entitled (without the requirement of posting any bond) to obtain from a court of competent jurisdiction an injunction restraining the violation of such undertaking or any participation therein. Upon termination or expiration of this Agreement or a request by the party disclosing the Confidential Information, the Recipient shall immediately return the other party's Confidential Information.
- 8.2. Each party may disclose Confidential Information to those of its employees, agents, Affiliates and consultants who:-
- (a) are required to know such information in connection with the permitted use of such information hereunder; and
  - (b) are bound by customary non-use and confidentiality undertakings.
- 8.3. The parties acknowledge and agree that the financial terms contained in this Agreement shall be considered as Confidential Information hereunder.
- 8.4. The parties further agree that the publication of the existence of this Agreement may be of commercial value to CollaGenex and the parties therefore agree for the publication of press releases in CollaGenex's standard form always provided that the financial terms hereof and Confidential Information shall not form part of any press release of CollaGenex.

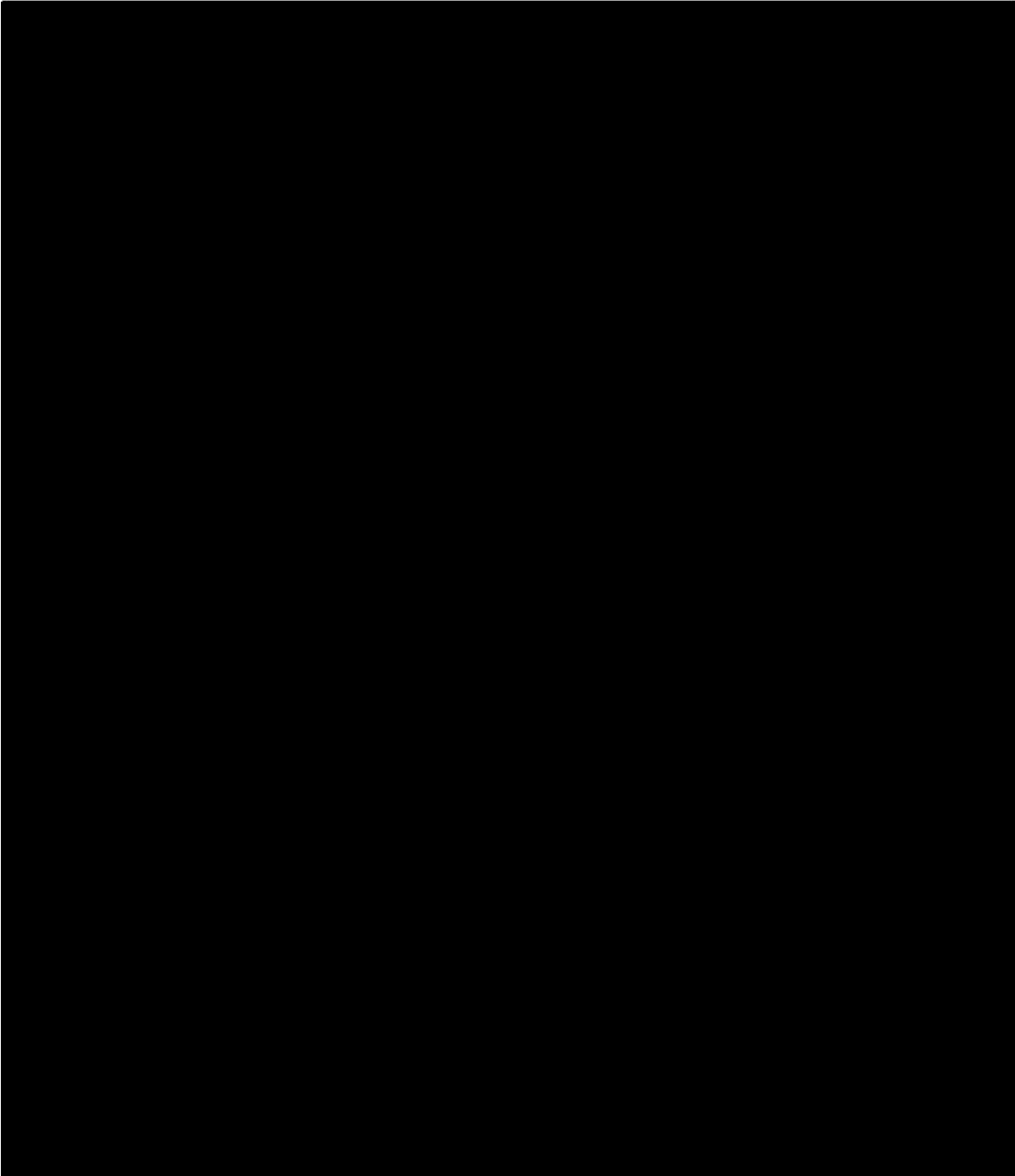
## 9. TERM AND TERMINATION AND REVERSION OF RIGHTS

- 9.1. Subject to Section 4.1.4, this Agreement shall be for the life of the United States or European Patent (whichever shall be first granted) for the first of the Initial Products, or, if such a patent fails to issue, for seven (7) years from the date first written above.
- 9.2. The parties hereto may terminate this Agreement at any time by mutual written consent. Such termination shall be effective ninety (90) days after such determination or such lesser period as the parties may mutually agree.

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9.3. CollaGenex shall have the right to immediately terminate this Agreement and be entitled to repayment of all monies paid to Skold except those out-of-pocket expenses defined under sub-clause 4.1.4.(c) above in the event that:-

- (a) the patent or its base delivery Technology in the United States and as contemplated by sub-clause 4.1.4.(c) hereof failed to issue; or
- (b) the base formulation of the Initial Products contemplated hereby fails standard stability testing.



- FORCE MAJEURE
- 10.1. All instances of force majeure (being circumstances beyond the reasonable control of either party and which have, or may have, a material effect on the ability to perform under this Agreement including, but not limited to, failure of power or other utility or sanitary supplies; fire; flood; earthquake; explosion; riot; strike or lock-out of that party's own work force; civil insurrection or unrest; terrorist activity; war (whether war be declared or not) and regulations of any Governmental, national or trans-national authority ("Force Majeure") shall for the duration and to the extent of the effects caused thereby release the parties from the performance of their contractual obligations hereunder.
  - 10.2. The party who has suffered the Force Majeure ("the Affected Party") shall notify the other party without delay of any such incidents occurring and the parties shall discuss the effects of such incidents on this Agreement and the measures to be taken.
  - 10.3. Each party shall endeavor and take all necessary steps to avoid or restrict Force Majeure and to mitigate any loss there from.
  - 10.4. In the event of an incident or incidents of Force Majeure, the parties shall as soon as reasonably possible resume performance of their obligations hereunder but in the event that Force Majeure has prevailed for a continuous period in excess of one hundred and eighty (180) days, the party which is not the Affected Party may terminate this Agreement immediately by notice in writing, citing Force Majeure.
  - 10.5. This Agreement is made subject to any laws, regulations, orders or other restrictions on the export from the United States of America of human pharmaceutical products as may be imposed from time to time by the Government of the United States of America. Skold acknowledges that the export of the Products (if applicable) from the United States of America is subject to CollaGenex, or an authorised agent of CollaGenex, receiving the necessary licence(s) or approval(s) for export from the United States of America and CollaGenex shall not be liable in any way for any delays, including, without limitation, delays in obtaining the required export authorisations which are beyond the reasonable control of CollaGenex.

#### 11. OTHER PROVISIONS

- 11.1. The parties hereby undertake and agree to execute and deliver such other documents, instruments and agreements and to take such other actions as may be necessary, proper or appropriate to carry out the terms of this Agreement.
- 11.2. All notices required or permitted under this Agreement shall be in writing and in the English language and delivered by any method providing proof of delivery or receipt. Any notice shall be deemed to have been given on day of delivery or receipt. Notices shall be delivered to the parties at the following addresses until a different address has been designated, by notice, to the other party:-

If to CollaGenex

CollaGenex Pharmaceuticals, Inc.,  
41 University Drive, Suite 200,  
Newtown,  
Pennsylvania 18940,  
United States of America.  
Telefax : (001) 215 579 8577  
Attention : Senior Vice President



# CONFIDENTIAL

If to Skold

Thomas Skold,  
Bjorno Gard,  
S-761 41 Norrtalje,  
Sweden.  
Telefax : (0046) 176 22 4420

- 11.3. This Agreement is executed in two counterparts each one of which is deemed an original and which taken together shall constitute one and the same instrument.
- 11.4. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter hereof, and no modification, amendment, supplement or change shall be effective unless in writing and signed by authorised signatories of the parties. This Agreement supersedes all prior understandings, negotiations and agreements, whether written or oral, relating to the subject matter hereof.
- 11.5. The waiver by either party of a breach or default of any of the provisions contained herein shall be in writing and shall not be construed as waiver of any succeeding breach or default or of the provision itself.
- 11.6. Except as may be provided for in this Agreement, each of the parties hereto shall bear its own expenses in connection with this Agreement and the transactions contemplated hereby.
- 11.7. This Agreement shall be governed and construed in accordance with the laws of the Commonwealth of Pennsylvania and the Courts of the Commonwealth of Pennsylvania shall be the sole Courts of competent jurisdiction.
- 11.8. The clause headings in this Agreement are inserted for convenience or reference only and shall not affect the construction or the interpretation of this Agreement or any of the provisions hereof.
- 11.9. If any provision of this Agreement shall be held to be illegal or unenforceable, such holding shall not affect the validity or enforceability of any of the other provisions of this Agreement.
- 11.10. Nothing in this Agreement shall create or imply any association, partnership or joint venture between the parties hereto, it being agreed and understood that the parties are independent contractors and neither party shall have the power or authority to bind the other in any way.
- 11.11. Except where the context otherwise permits or requires, words denoting the singular include the plural and vice versa; wording denoting one gender include all genders; words denoting persons include firms and corporations and vice versa.
- 11.12. Neither party shall be liable to the other for any indirect, incidental, special, or consequential damages in connection with this Agreement, however caused, whether based on contract, tort, warranty, or other legal theory, and even if such party has been informed in advance of the possibility of such damages or such damages could have been reasonably foreseen by such party.
- 11.13. Sections 2.1(b), 2.3, 4, 5, 6, 8, 9, 11.4, 11.7, 11.10 and 11.12 shall survive any expiration or termination of this Agreement.

IN WITNESS WHEREOF, THE PARTIES HAVE CAUSED THIS AGREEMENT TO BE SIGNED BY THEIR DULY AUTHORISED REPRESENTATIVES THE DAY AND YEAR FIRST ABOVE WRITTEN :

# CONFIDENTIAL

COLLAGENEX PHARMACEUTICALS, INC.

by.....  
Brian M. Gallagher Ph.D.,  
Chairman, President & Chief Executive Officer

THOMAS SKOLD

| .....|

**From:** Jeff Day [jday@collagenex.com]  
**Sent:** Monday, July 12, 2004 10:20 AM  
**To:** Thomas Sköld  
**Subject:** RE: Dan Pacquadio, MD - Derm - Product Develop Co

**Public**

Thomas,  
 Can you call him earlier than 9:00 West Coast; try at 8:00 on his Cell phone, and he will get it when he goes to work. I am hoping you guys can pull it off in this AM.

Jeff Day

-----Original Message-----

**From:** "Thomas Sköld" [mailto:thomas-skold@tellia.com]  
**Sent:** Monday, July 12, 2004 6:05 AM  
**To:** Jeff Day  
**Subject:** RE: Dan Pacquadio, MD - Derm - Product Develop Co

Exhibit	T 14
Skold v. Galderma	
Cancellation No. 92052897	

Jeff,

We left for our island on Friday and unfortunately I just opened up my E-mails (I is Monday morning). I can try to give him a call on his cell at noon east cost time which should be around 9 am for him then.

I will so you know be available Monday through Thursday. On Thursday we are going out to our island again and this time for about 2 weeks.  
 For you only +46 176 94040 is our number out there.

Regards,  
 Thomas

Ps. Lytra samples will be sent to you tomorrow Tuesday unless we have a microbial problem. You should then have them at your office Thursday/Friday this week.

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Saturday, July 10, 2004 8:15 PM  
**To:** Thomas Sköld  
**Subject:** Dan Pacquadio, MD - Derm - Product Develop Co

Thomas,  
 Dan is the guy I was trying to get the phone meeting set up with last week. I sent him a sample and presentation (we have a CDA); which he received today (Saturday). He was trying to set up a call with me this weekend; but we have our daughters Baptism this weekend. Do you have a few minutes you give him a call this weekend (Sunday); he is traveling Mon-Thurs? He is evaluating the product (LYTRA) and technology for DUSA; which is interested in LYTRA/Ceracel and a few other Restoraderm based products. He is meeting with DUSA on Wednesday, so it is important for us to talk with him.

Let me know if you are able to call him on Sunday? He is in California (so know the time change).

Jeff Day

Dan Pacquadio, MD  
 Dermatologist  
 President - Therapeutics, Inc.  
 (619) 297-7058 (home number for weekend)  
 Cell (619) 889-7058 (during the week)

You can pull up Therapeuticsinc.com



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sender by e-mail with a copy to [itsupport@foragencies.com](mailto:itsupport@foragencies.com). Unauthorized review, forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. Thank you.

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**Från:** Sheila Kennedy [mailto:skennedy@collagenex.com]  
**Skickat:** den 4 oktober 2004 14:53  
**Till:** Chris Powala; Thomas Sköld  
**Ämne:** RE: Sample

**Public**

Chris,

You are correct. Our plan is to select a name for the product and refer to it as "PRODUCT NAME, based on the Restoraderm foam technology".

Sheila

-----Original Message-----

**From:** Chris Powala  
**Sent:** Monday, October 04, 2004 8:51 AM  
**To:** "Thomas Sköld"  
**Cc:** Sheila Kennedy  
**Subject:** RE: Sample

Exhibit	T 16
Skold v. Galderma	
Cancellation No. 92052897	

*If I understand this correctly, I don't think FDA will be concerned over Restoraderm if it remains the name of the foam platform. The Product name (clobetasol) will likely be something different.*

Sheila, am I correct here?

-----Original Message-----

**From:** "Thomas Sköld" [mailto:thomas-skold@telia.com]  
**Sent:** Monday, October 04, 2004 6:45 AM  
**To:** Chris Powala  
**Subject:** Sample

Good morning Chris,

It was good seeing you again even though we did not get that much time. I did think it was a good meeting and when you are ready for the comparsment study I do have a few 18 months old Clobetasol products to send you.

A sample of Ceracel has left Sweden today so sometime later on this week it should arrive at your office. Please give William Abromovist a call at your convenience to catch up where Jeff left it what ever it was.

One more thing that came to my mind on my way back to Sweden, Restoraderm is describing very well what it does so do you think for FDA purposes that the name is wise? If we for any reason would like to change we don't have that much time I guess.

LipoMderm as in Lipo for lipids M for matrix and derm well.... Is available I'm told but your guys could probably come up with something better (if we need to).

All the best,  
Thomas



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**Public**

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111

Från: Greg Ford [mailto:gford@collagenex.com]

Skickat: den 15 december 2005 16:58

Till: thomas-skold@telia.com

Kopia: Klaus Theobald

Ämne: restoraderm

Hi Thomas,

I hope all is going well. I have just spent the past few days meeting with 20 companies in promoting Restoraderm. The interest level is good and I would like to invoke more interest by sending the prospective companies samples and additional non-confidential info on the Restoraderm technology. To this end, I would very much like to get your input as to the materials that we can send to potential clients – in addition to the Powerpoint info I already have received, do you have any other information that would be helpful?

Best regards,  
Greg

Greg Ford  
VP, Business Development & Strategic Planning  
CollaGenex Pharmaceuticals, Inc.  
[gford@collagenex.com](mailto:gford@collagenex.com)  
ph: 800-813-7847 x3120

Exhibit T 17  
Skold v. Galderma  
Cancellation No. 92052897

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**Public**

Exhibit T 18  
Skold v. Galderma  
Cancellation No. 92052897

Från: Brad Zerler [mailto:bzerler@collagenex.com]  
Skickat: den 27 februari 2006 23:14  
Till: Thomas Sköld  
Ämne: FW: Sciarra Results

111.1

Thomas:

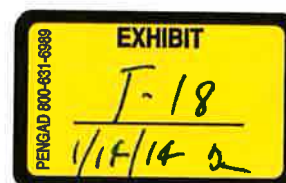
In regard to tomorrow's discussions I have attached the stability results, such as they are, from Sciarra. The numbers represent the average concentration of two samples taken from the same container.

The first two BPO formulations are with the new compendial excipients at two different pH's 7.2 and 4.2. BPO-1-3 are with the new excipients but with less DMI than originally suggested by Apoteket. They were sought of a mistake in the original Sciarra products. Bottom line is that they will not meet required stability which is consistent with Apoteket results presented earlier this year.

For the monographed products do not be concerned with the starting concentrations as much as the relative stabilities. There is no 1 month time point because they needed this time to figure out all the HPLC assays. In a way they are still fine tuning. The urea results are weird and Sciarra had a hard time with the assay since they had to develop one from scratch because the USP assay is not HPLC based. Anyway, John and Chris Sciarra feel very good about the hydrocortisone, lidocaine and salicylic acid stability and do not have any good explanation for the urea results. I had them pull a 4 month 25oC sample for each one just to get some data for this call and to compensate for the missing 1 month data point; the next scheduled time point is 6 months.

Brad

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Months on Stability      0                      1                      2                      3

Formulation

Hydrocortisone (1%)	0.95	0.94	0.97
25oC	0.95	0.95	0.95
40oC			
Lidocaine (4%)			
25oC	4.23	3.99	3.95
40oC	4.23	3.92	3.99
Salicyclic Acid (6%)	4.47	5	4.81
25oC	4.47	4.68	4.68
40oC			
Urea (10%)			
25oC	10.47	9.34	7.26
40oC	10.47	9.11	8.7
Urea (20%)			
25oC	20.21	15.38	15.59
40oC	20.21	14.74	15.04
BPO 0055-029 (pH 7.2)	7.98	8.02	7.5
BPO 0055-029 (pH 4.2))	8.51	8.9	7.88
BPO-1	NT	9.43	8.78
BPO-3	NT	9.3	8.7
BPO-4	NT	7.2	6.68



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111.1

4

0.99

3.91

4.86

8.29

16.17

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Wiggin and Dana LLP  
One Century Tower  
P.O. Box 1832  
New Haven, Connecticut 06508-1832  
www.wiggin.com

Ian E. Bjorkman  
203.498.4496  
203.782.2889 fax  
ibjorkman@wiggin.com

WIGGIN AND DANA

VIA FEDEX

*Counsellors at Law*

July 7, 2006

Exhibit T 19  
Skold v. Galderma  
Cancellation No. 92052897

Andrew K.W. Powell, Esq.  
Vice President, General Counsel  
CollaGenex Pharmaceuticals, Inc.  
41 University Drive  
Newtown, PA 18940

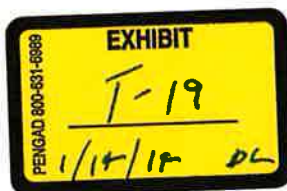
Re: Thomas Sköld

Dear Andrew:

On behalf of Thomas and Jim, please accept our sincere thanks for your visit to Stamford. As far as we are concerned, it was a very productive meeting and, hopefully, sets the groundwork to resume an amicable, productive and profitable collaboration between Thomas and CollaGenex. To that end, we thought that it would be worthwhile to memorialize the main points of our discussion so that we have the same reference moving forward.

A major source of Thomas's disappointment has been CollaGenex's decision to designate OTC products for the Restoraderm technology and then abandon them just prior to reaching the first stability milestone. Indeed, product development and commercialization is not much further along now than it was three years ago. We believe that once CollaGenex designated products for development it had the obligation to use commercially reasonable efforts to work through all of the milestones. We do not believe that CollaGenex can properly avoid the milestone payments by making a commercially unreasonable decision to designate products that could not be profitably developed and then abandoning them. Accordingly, Thomas is entitled to all of the milestone payments for the formulations because there is really no dispute that they were stable and would have achieved all of the milestones.

Further, we fully understand your position that Thomas, as an "equity" holder, ought to bear some of the risk of development. But, we think that risk was built into the 18 month period between the parties signing the contract and December 31, 2005 by which time CollaGenex was supposed to have designated five products that it actually intended to develop. Thomas is encouraged by CollaGenex's very recent decision to pursue prescription applications for the Restoraderm technology that obviously have greater profit potential. Thomas looks forward to working with you on those products.



New Haven Stamford New York Hartford Philadelphia

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WIGGIN AND DANA

*Counsellors at Law*

At our meeting we noted that the March 31, 2007 date in which CollaGenex must meet the first stability milestone and has the option to terminate the Agreement is fast approaching and that it would serve us well to now consider how that impending date may impact the parties' relationship. The date is particularly important in light of the fact that it will likely coincide with obtaining the six month stability data on the eight new formulations. We understand that if the stability results are not promising, CollaGenex may have reached the end of the line with the technology. It behooves us not to wait nine months to consider that potential.

Accordingly, we believe that the parties agreed that the following action items were to be pursued:

- Greg, and perhaps others, will meet with Thomas to review the plans for the eight new products. We understand that this will be an in depth meeting that will likely last at least one full day. We should confirm plans by early next week for the July 19, 2006 meeting in Sweden that Greg and Thomas discussed. We also understand that Greg will give Thomas general information, including market projections and preliminary development timelines, about the eight products as soon as practicable in advance of that meeting. Also, providing Thomas with an agenda for the meeting would be very helpful.
- Andrew and Greg will consider and revert to us on the issue of whether CollaGenex intends to seek an extension of time to meet the March 31, 2007 stability deadline (paragraph 3.4(b)), and voluntary termination date. We discussed that there may be some utility in extending this date beyond March 31, 2007. In any event, we should begin discussions about the detailed issues resulting from a termination. As Andrew pointed out, there are a number of issues to consider relating to the return to Thomas of the purchased assets.
- In light of the unexpected delays in development, the abandoned OTC products, the new product designations and the potential extended contractual time periods, we discussed partial acceleration of some of the milestone payments and extending Thomas's consulting arrangement. Among the things we discussed was CollaGenex making an upfront payment to Thomas for an amount roughly equivalent to the first milestone payment on four products. Again, we understand that Greg and Andrew will revert to us with such a proposal that will likely relate to the decision about extending the contract deadlines.

Andrew K. W. Powell, Esq.  
July 7, 2006  
Page 3

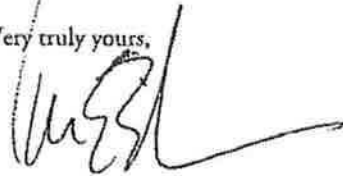
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WIGGIN AND DANA

*Counsellors at Law*

We are hopeful that this represents a framework for getting the relationship back on track and look forward to your input. Thank you again for your cooperation and courtesy.

Very truly yours,



Ian E. Bjorkman

cc: Thomas Sköld  
J. Gregory Ford  
James Farrington

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**From:** Tomas Danielsson [mailto:Tomas.Danielsson@apoteket.se]  
**Sent:** den 17 juli 2006 12:24  
**To:** Greg Ford  
**Cc:** thomas-skold@telia.com; mats.silvander@bioagri.se  
**Subject:** Microbe tests OK

Exhibit	T 20
Skold v. Galderma	
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Good morning Greg

The microbe tests are finished and all three batches have passed. We will send the products to you with DHL later today. Could you please send me a correct recipient address.

I have about 150 grams of Ceramide III, 800 cans and 800 bottles left. The Ceramide III expires April 2008. If you have more work for us in the near future, we should keep the material here, otherwise Thomas Skold might need some for technical experiments in his lab.

Best regards,

Tomas

<b>Public</b>
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**Från:** Greg Ford [mailto:gford@collagenex.com]  
**Skickat:** den 28 juni 2006 16:46  
**Till:** Tomas Danielsson  
**Ämne:** RE: Project status

That does it.

---

**From:** Tomas Danielsson [mailto:Tomas.Danielsson@apoteket.se]  
**Sent:** Wednesday, June 28, 2006 9:45 AM  
**To:** Greg Ford  
**Subject:** SV: Project status

OK

Tomas Danielsson  
Apoteket AB  
Production & Laboratories  
Pharmaceutics  
Prismavägen 2  
SE-141 75 Kungens Kurva  
Sweden  
Tel: +46-8-4663849  
Fax: +46-8-4661861  
e-mail: [tomas.danielsson@apoteket.se](mailto:tomas.danielsson@apoteket.se)



**Från:** Greg Ford [mailto:gford@collagenex.com]  
**Skickat:** den 28 juni 2006 14:08  
**Till:** Tomas Danielsson  
**Kopia:** thomas-skold@telia.com; mats.silvander@bioagri.se  
**Ämne:** RE: Project status

~~CONFIDENTIAL~~

Tomas,  
Please add the registered trademark symbol so it will read: Restoraderm®  
Thanks,  
Greg

---

**From:** Tomas Danielsson [mailto:Tomas.Danielsson@apoteket.se]  
**Sent:** Wednesday, June 28, 2006 6:07 AM  
**To:** Greg Ford  
**Cc:** thomas-skold@telia.com; mats.silvander@bioagri.se  
**Subject:** SV: Project status

Greg,

Attached please find a pdf with the labels for the gel, lotion and creme. OK?

If nothing unexpected happens (such as bugs in the packaging material), I expect the samples to be sent the week starting with July 17th. Allow two days for the air freight and the customs check.

Tomas

Tomas Danielsson  
Apoteket AB  
Production & Laboratories  
Pharmaceutics  
Prismavägen 2  
SE-141 75 Kungens Kurva  
Sweden  
Tel: +46-8-4663849  
Fax: +46-8-4661661  
e-mail: [tomas.danielsson@apoteket.se](mailto:tomas.danielsson@apoteket.se)

---

**Från:** Greg Ford [mailto:gford@collagenex.com]  
**Skickat:** den 27 juni 2006 16:53  
**Till:** Tomas Danielsson  
**Ämne:** RE: Project status

Thomas,  
Thanks for the update. When do you expect that I will receive the samples?  
Greg

---

**From:** Tomas Danielsson [mailto:Tomas.Danielsson@apoteket.se]  
**Sent:** Tuesday, June 27, 2006 6:49 AM  
**To:** Greg Ford  
**Subject:** Project status

Tomas

~~CONFIDENTIAL~~

Tomas Danielsson  
Apoteket AB  
Production & Laboratories  
Pharmaceutical Development  
Prismavägen 2  
141 75 Kungens Kurva  
Tel: +46-8-4663849  
Fax: +46-8-4661661  
e-mail: [tomas.danielsson@apoteket.se](mailto:tomas.danielsson@apoteket.se)

size=2 width="100%" align=center>

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size=2 width="100%" align=center>

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~~CONFIDENTIAL~~

**From:** Greg Ford [mailto:gford@collagenex.com]  
**Sent:** den 1 augusti 2007 20:08  
**To:** Thomas Sköld  
**Subject:** RE: AAD

Thomas,  
Are you available for dinner tomorrow PM?  
Regards,  
Greg

Exhibit	T 21
Skold v. Galderma	
Cancellation No. 92052897	

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Monday, July 30, 2007 1:02 PM  
**To:** Greg Ford  
**Subject:** RE: AAD

**Public**

Thanks Greg,  
Let me know what day suits you best to see each other.

Regards,  
Thomas

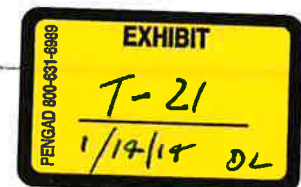
---

**From:** Greg Ford [mailto:gford@collagenex.com]  
**Sent:** den 30 juli 2007 15:16  
**To:** Thomas Sköld  
**Subject:** RE: AAD

Thomas,  
My cell is 215-375-2183. Looking forward to seeing you again.  
Greg

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Monday, July 30, 2007 8:20 AM  
**To:** Greg Ford  
**Subject:** RE: AAD



Hello again,

Greg please send me your cell phone number. I know I have it somewhere but to make things easier for me.

All the best,  
Thomas

---

**From:** Greg Ford [mailto:gford@collagenex.com]  
**Sent:** den 30 juli 2007 04:33  
**To:** Thomas Sköld  
**Subject:** RE: AAD

Hi Thomas,  
Good to hear from you. I hope you have been having a great summer. I will be attending the AAD in NYC. When will you be arriving? We must get together for dinner.  
Best regards,



Greg

# CONFIDENTIAL

**From:** Thomas Sköld [mailto:thomas-skold@tella.com]

**Sent:** Sunday, July 29, 2007 11:04 AM

**To:** Greg Ford

**Subject:** AAD

Good morning Greg,

I hope you have had a few days or weeks off from work so far this summer. I asked you before about the AAD and I want you to know that I recently decided to participate or at least be there a few days getting together with some of my dermatologists. So far I have no schedule for the weekend including Friday so please let me know if you will be in the neighbourhood. If you won't be there please update me on where we are at the moment since I know I'm going to get asked and I will as it looks have a meeting with Jim Farrington to update him on how things goes.

All the best,  
Thomas

---

This message and any included attachments are from CollaGenex Pharmaceuticals and are intended only for the addressee(s). The information contained herein may include trade secrets or privileged or otherwise confidential information. If you received this message in error, or have reason to believe you are not authorized to receive it, please promptly delete this message and notify the sender by e-mail with a copy to [itsupport@collagenex.com](mailto:itsupport@collagenex.com). Unauthorized review, forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. Thank you.

# CONFIDENTIAL

125

Wiggin and Dana, LLC

400 Atlantic Street  
P.O. Box 110325  
Stamford, Connecticut  
06911-0325  
www.wiggin.com

Thomas F. Clauss, Jr.

203.363.7610  
203.363.7676 fax  
tclauss@wiggin.com

WIGGIN AND DANA

*Counsellors at Law*

VIA FEDERAL EXPRESS  
and FACSIMILE - (215) 579-8577

January 29, 2008

CollaGenex Pharmaceuticals Inc.  
41 University Drive, Suite 200  
Newtown, PA 18940  
United States of America

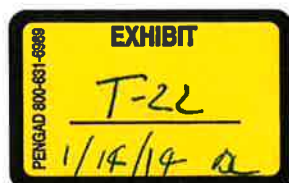
Exhibit	T 22
Skold v. Galderma	
Cancellation No. 92052897	

Attention: Senior Vice President

RE: Notice pursuant to Article 8 of the Asset Purchase and Product Development Agreement ("Agreement") by and between CollaGenex Pharmaceuticals Inc. ("CollaGenex") and Thomas Skold ("Skold")

To Whom It May Concern:

I write on behalf of Thomas Skold in connection with the above-referenced Agreement. Notice is hereby given that CollaGenex's conduct, its failures to act and its decision to terminate development of any and all Restoraderm products, as confirmed by and memorialized in its November 29, 2007 email to Mr. Skold, (i) constitute a voluntary termination by CollaGenex pursuant to Section 8.2 of the Agreement, and/or (ii) constitute and/or confirm material breaches of the Agreement by CollaGenex. These material breaches include, but are not limited to, CollaGenex's failure to use commercially reasonable efforts to develop Restoraderm products in violation of Section 3.4 of the Agreement; its failure to hold joint steering committee meetings in violation of Section 3.1(d); its failure to prepare development plans in violation of Section 3.3; its failure to timely demonstrate stability of five Restoraderm products for a period of six (6) months in violation of Section 3.4(b); its intentional and deliberate cessation of the development of Restoraderm products shortly before they were to demonstrate six (6) months of stability so that CollaGenex could avoid paying Skold amounts that would otherwise have been due him, all in violation of Sections 3.4(b) and 4.1 and the duty of good faith and fair dealing that CollaGenex owes Skold; its failure to use commercially reasonable efforts to develop, administrate, prosecute, procure and maintain all Restoraderm Intellectual Property Rights, including Restoraderm Patent Rights, in violation of Section 3.6; and its failure to prepare business plans as required by Section 3.7. Skold reserves all rights to assert additional material breaches and violations of CollaGenex's obligations to him.

*New Haven Stamford New York Hartford Philadelphia*

WIGGIN AND DANA

*Counsellors at Law*

Pursuant to the terms of Section 8.5, CollaGenex is to return all Confidential Information of Skold to Skold and shall transfer to Skold, without any payment, the Purchased Assets and Additional Records, as such terms are defined in the Agreement with all relevant documentation, data and information.

Additionally because of the above-identified breaches and multiple CollaGenex failures, Skold has been damaged in at least the amount of [REDACTED] which figure includes milestone payments that Skold would have received but for CollaGenex's breaches of the Agreement plus damages suffered by Skold as a result of CollaGenex's breaches.

Please advise within ten (10) days of your receipt hereof when Mr. Skold can expect delivery of the above listed items. I look forward to hearing from you.

Very truly yours,



Thomas F. Clauss, Jr.

cc: Andrew Powell  
Via Facsimile - (215) 579-8577

V16465\1\141141.2

**CONFIDENTIAL**

Arthur Jackson

**From:** SHAIMI Samira [Samira.SHAIMI@galderma.com]  
**Sent:** Monday, September 01, 2008 1:20 PM  
**To:** Thomas Sköld  
**Subject:** RE: Restoraderm  
**Attachments:** Restoraderm technical Meeting with Skold-28aug08 minutes.DOC

Exhibit	T 23
Skold v. Galderma	
Cancellation No. 92052897	

Dear Thomas

Hope your trip back to Sweden was fine and you brought some sunny weather with you!  
 Please find attached the draft minutes, please feel free to add any pertinent clarification or if I missed some point, the team will add its comments too.  
 I will appreciate if you could send your comment by Tuesday pm

Best regards

Samira

I have forwarded your email to Guy Bouvier (Tox) and Anne Matarazzo (IP)

---

**De :** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Envoyé :** lundi 1 septembre 2008 13:05  
**À :** SHAIMI Samira; BISTUER Florence; anna.matarazzo@galderma.com; ABOU CHACRA VERNET Marie-line; FREDON Laurent  
**Objet :** Restoraderm

Dear All,

With this quick note I would like to thank you all for our meeting last Thursday.

I will conduct a new search in my computer and look for old documents to be able to answer the questions that are still unanswered. I will therefore be near my computer all week and please feel free to contact me with more questions.

All the best,  
 Thomas

Ps. Apparently I'm missing one business card to the gentlemen in charge of tox issues.



OFFICE  
CORRESPONDENCE

Date : September 2<sup>nd</sup>, 2008

From : S. Shaimi

To : T. Skold  
ML. Abou-chacra.  
G. Bouvier  
L. Fredon  
A. Matarazzo  
F. Bistuer

**Restoraderm**  
**Technical Meeting Minutes with Dr Skold August 28<sup>th</sup>, 2008**

Participants: T. Skold ; ML. Abou-chacra. ; G. Bouvier ; L. Fredon ; A. Matarazzo, F. Bistuer ; S. Shaimi

**Objective:**

The purpose of the technical meeting with T. Skold was to clarify some technical aspect of the restoraderm technology especially the composition; a list of the question was addressed to T. Skold

The presentation by T. Skold (Overview of restoraderm technology) was followed by answers to the questions addressed by galderma's experts.

**Composition/Process**

Some misunderstandings in the formulation matrix and process (especially on the terminology) were clarified.

The process is described in the formulation development report (feb 18, 2005)

Discussions to complete T. Sköld's answers:

GALDERMA RESEARCH & DEVELOPMENT

635, route des Lucioles, BP87 - 06902 SOPHIA ANTIPOLIS cedex - FRANCE - Tel: (33) 04 93.95.71 90 - Fax: (33) 04 93 95 70 33

# CONFIDENTIAL

➤ The classification of the restoraderm formulation was not clear as if it should be classified as emulsion or not based on scientific or regulatory point of view, T. Skold will come back with Silvander's opinion and galderma will look at the regulatory guideline definition

➤ The status of the excipients needs to be checked and updated:

-Ceramides III had a DMF nearly available but additional studies were needed however collagenex refused to pay for it, to date there is no DMF (need to be checked).

For T. Skold, the Ceramides at 0.2% need to be part of the composition as it help to build the barrier restoration.

- 25-hydroxycholecalciferol , Guy could you please add the comment you made on this excipient

## Clinical and non clinical studies.

To evaluate the Restoraderm potential impact on the skin barrier different studies were performed:

- Transepidermal water loss (TEWL) conducted by Ruby Ghadially (California): Restoraderm vs Olux
- Fluorescent penetration study (Dr Ruby Ghadially)
- Comparator study on the vehicle alone on dry skin : objective to measure the effectiveness of restoraderm in reducing or eliminating chronic hand contact dermatitis (poster , Dr Joseph Fowler University of Louisville) study supported by collagenex

Only presentation slides or poster are available to support those studies no data were found in the collagenex files. If needed Skold could arrange meeting between Dr Joseph Fowler and Galderma's clinicians.

## Industrial Properties

Patent issues still remain as the patent is not granted yet.

IP strategy will need to be supported by experimental work to compare compositions of restoraderm technology to other composition described in some previous art listed in the patent procedure.

## Conclusion

For T. Skold, Restoraderm technology is "very good story to tell" a story based on the barrier restoration ability

« Restoraderm is a novel dermal drug delivery vehicle formulated to provide unique skin barrier restoration properties »

T. Skold has as inventor as well as investor believes strongly into restoraderm and is eager to help galderma in this assessment.

# CONFIDENTIAL

Assessment as to use Restoraderm technology for Rx, OTC or cosmetic is still on going



Note that the contract/financial aspects were not discussed during this meeting and will be done after the assessment with the help of Quintin Cassady.

## Actions

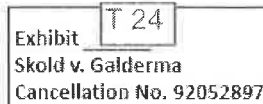
- How restoraderm should be classified in term of formulation emulsion or not ? Skold to give Silvander point of view and galderma will bring its point of view with respect to regulatory guidelines definition.
- Skold will try to provide fresh samples of restoraderm.
- Skold will provide data if available on the study with and without gas sphere to show the difference in formulation



Arthur Jackson

~~CONFIDENTIAL~~

**From:** SHAIMI Samira [Samira.SHAIMI@galderma.com]  
**Sent:** Wednesday, September 03, 2008 8:14 AM  
**To:** Thomas Sköld  
**Subject:** RE: Restoraderm



Dear Thomas,  
 I have forwarded your email to the team, Laurent is working on it.  
 The shipment was addressed to me or to Laurent? just to be able to track them.

I have a question regarding the BPO have you got some information about what was done to stabilise the BPO in restoraderm?

Regards

samira

**Public**



**De :** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Envoyé :** mercredi 3 septembre 2008 11:29  
**À :** SHAIMI Samira  
**Objet :** Restoraderm

Dear Samira,

There are few more things that came to mind going through the minutes again. When it comes to stability data generated by Sciarra yes they didn't follow the advised process and they also changed the ratio between the lipids. However they also ignored to adjust the pH environment. Like with Metronidazol one would have to lower the pH to 4.5 something to minimize initial decay. When it comes to Tacrolimus they should have melted the substance in the lipids before adding any water what so ever. If one doesn't add the active ingredient in one of the fractions one can not be sure where the active stays in the formulation coming back to the issue of a homogenous formulation.

Your question to Laurent about "real foam" I would say it is a matter of definition. Anything with gas spheres would be

When it comes to Liposomal formulations, who very rarely includes the amounts of Cholesterol and fatty acids like in Restoraderm, one needs to know their advantages and disadvantages. As mentioned and proved in nasal studies our vesicles won't diffuse them selves as good as they do if it hadn't been for the lipid solid particles. Also if one would occlude the skin after an application (like with Emla or an ointment above a therapeutical application) of a liposomal formulation it won't diffuse at all. To my knowledge to achieve a foamy property with a simple liposomal formulation is impossible.

My recommendation about lipid precursors is that for now and in the initial phase of Restoraderm we should not focus too much (we know Ascorbyl palmitate works) on them but I think that for the next generation of vehicles, compound like 25-hydroxycholecalciferol should be looked at.

About novelty I would say that you have put the right point in but it is also what these three points achieve. Meaning excellent diffusion of an active, leaving the skin intact or even enhanced after application and its flexibility to be a system for both lotions, creams ointments and foams.

I was told by the post office yesterday that you should expect the parcel by tomorrow Thursday. Normally they need to be cooled down more than I had time for yesterday so I wasn't able to confirm the right foam texture. You should however see and feel the difference between the formulations (combination of fractions/ultra-fine fraction only/dispersed fraction only). For stability purposes (on the foam/structures) I also included a 5 year old clobetasol foam product (you probably know that we also did a gel Clobetasol that is proven stable).

All the best,  
 Thomas



Arthur Jackson

~~CONFIDENTIAL~~

From: FREDON Laurent [laurent.fredon@galderma.com]  
 Sent: Thursday, September 04, 2008 12:29 PM  
 To: Thomas Sköld  
 Cc: SHAIMI Samira  
 Subject: RE: Restoraderm

Exhibit T 25  
 Skold v. Galderma  
 Cancellation No. 92052897

Dear Thomas,

Quick questions regarding the compositions,  
 -did you add Laureth-7 (or equivalent) with the propellant in the different foam preparations?  
 -What is the ratio %preparation/%propellant for each sample?

Thank you for your answers.

Best regards,

L.Fredon



De : Thomas Sköld [mailto:thomas-skold@telia.com]  
 Envoyé : jeudi 4 septembre 2008 17:47  
 À : SHAIMI Samira  
 Cc : FREDON Laurent  
 Objet : SV: Restoraderm

**Public**

Dear Samira,

The old clobetasol canister is produced with batch records you have seen and with all three fractions included. If you then look at the three other canisters you received the label tells you about the process used. So when it says ultra-fine you only have the vesicle fraction present and when it says disp. fraction it is only based on lipid solid particles and the correct formulation contains all three fractions. I wanted you to see all three versions. Unfortunately, and due to the post office, I was not able to wait enough for the fractions to cool down but you should be able to tell some difference between the three versions.

The Clobetasol should have a pressure of close to 5 bar and the three newly produced closer to 3 bars pressure.

Enclosed please find the composition (without ceramides III and ascorbyl palmitat).

All the best,  
 Thomas

Från: SHAIMI Samira [mailto:Samira.SHAIMI@galderma.com]  
 Skickat: den 4 september 2008 16:13  
 Till: Thomas Sköld  
 Kopia: FREDON Laurent  
 Ämne: RE: Restoraderm

Dear Thomas,

We have received the sample today, thanks  
 Could you please tell us which process was used? Same question for the composition

Regards

Samira

De : Thomas Sköld [mailto:thomas-skold@telia.com]  
 Envoyé : mardi 2 septembre 2008 16:25

1, About gas spheres, I have not been able to find the report from the one time we manufactured the dispersed fraction in vacuum. It was manufactured by the government owned Apoteksbolaget in Sweden and looked at and tested by volunteers from the Royal School of Technology in Stockholm. I talked to Mats today to see if we would remember the outcome. The density and viscosity were different and so also the skin feel. Not too much though but in favour of keeping the gas spheres. We concluded that you will get a more even spread of the excipients with the gas spheres present. Since the manufacturing process as we saw it would be more technical having to use vacuum we merrily left that idea. However, to protect that no one can go around the patent by manufacturing in vacuum this needs to be covered in the patent.

2, About the chemical classification of the technology both Mats and my self are clear on the fact that it should not and can not be regarded as an emulsion (tiny droplets of one liquid in a second liquid). However, whether to call it dispersion or a suspension is a bit tricky. The ultra-fine fraction would be regarded as a suspension while the dispersed fraction would be regarded as dispersion due to its larger particles. To be correct it is a suspension in a dispersion (which is part of why it is unique and novel).

It might be though if one would need to use just one classification that dispersion is the most correct one. One could then argue that emulsions also falls under dispersions but by another format so one need to come to a decision and I believe one should look at the new FDA guide lines to finalize the classification properly.

Phospholipids can only be regarded as an emulsifier when oil is present which is not the case with Restoraderm. The presence of 0.7% Laureth 4 is only in the foam formulation (not creams) to get the preferred foam texture when dispensing the product and is not a necessity for the final product (and process). Our lipids are not dissolved and stay in their solid form. By different sizes of structures the formulation will be more homogeneous when applied on the skin whereby the delivery of an active will be more widely spread compared to something with only one structure with a narrow size distribution.

3, About fraction(s) please review page 8 and 9 in the development report to better understand the differences between the fractions (viscosity, density and skin feel) and also why including all three is preferred.

I have suggested to Art that we initiate discussions with Mr Cassidy in about 2 weeks from now to discuss contract and financial aspects.

Best regards,  
Thomas

---

Från: SHAIMI Samira [mailto:Samira.SHAIMI@galderma.com]

Skickat: den 1 september 2008 19:20

Till: Thomas Sköld

Ämne: RE: Restoraderm

Dear Thomas

Hope your trip back to Sweden was fine and you brought some sunny weather with you!

Please find attached the draft minutes, please feel free to add any pertinent clarification or if I missed some point, the team will add its comments too.

I will appreciate if you could send your comment by Tuesday pm

Best regards

Samira

I have forwarded your email to Guy Bouvier (Tox) and Anne Matarazzo (IP)

---

De : Thomas Sköld [mailto:thomas-skold@telia.com]

Envoyé : lundi 1 septembre 2008 13:05

À : SHAIMI Samira; DISTIER Florence; anne.matarazzo@galderma.com; ABOL CHACRA VERNET Marieline; EBDON

CONFIDENTIAL

With this quick note I would like to thank you all for our meeting last Thursday.

I will conduct a new search in my computer and look for old documents to be able to answer the questions that are still unanswered. I will therefore be near my computer all week and please feel free to contact me with more questions.

All the best,  
Thomas

Ps. Apparently I'm missing one business card to the gentlemen in charge of tox issues.

Arthur Jackson

~~CONFIDENTIAL~~

**From:** SHAIMI Samira [Samira.SHAIMI@galderma.com]  
**Sent:** Monday, September 08, 2008 8:05 AM  
**To:** Thomas Sköld  
**Subject:** TR: Restoraderm Technical meeting Minutes  
**Attachments:** Restoraderm technical Meeting with Skold-28aug08 minutes\_FINAL.DOC

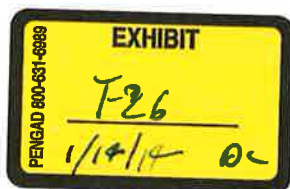
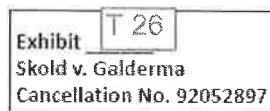
**Public**

Dear Thomas,

Please find attached the final minutes, note that all the discussion we had post meeting will help Laurent in the assessment. He will come back to you this week to discuss some points.

Regards

Samira



~~CONFIDENTIAL~~

GALDERMA

R & D  
SOPHIA ANTIPOLIS



OFFICE  
CORRESPONDENCE

**Public**

Date : September 4<sup>th</sup>, 2008

From : S. Shaimi

To : T. Skold  
ML. Abou-chacra.  
G. Bouvier  
L. Fredon  
A. Matarazzo  
F. Bistuer

c.c.:

P. Dielbolt  
J.P. Etchegaray  
D. Gross  
B. Ruty  
M. Leone  
O. Watts  
C. Loesche  
D. Leclercq

Pi: A. Jacot  
F. Bastian  
A. Matranga  
C. Villard  
A. Clapp  
V. Bercovici

Restoraderm ®  
Technical Meeting Minutes with Mr Thomas Sköld August 28<sup>th</sup>, 2008

Participants: T. Sköld ; ML. Abou-chacra. ; G. Bouvier; L. Fredon ; A. Matarazzo, F. Bistuer ; S. Shaimi

**Objective:**

The purpose of the meeting with T. Sköld was to clarify some technical aspect of the Restoraderm technology especially the composition; a list of the question was addressed to T. Sköld  
The presentation by T. Skold (Overview of Restoraderm technology) was followed by answers to the questions addressed by Galderma Experts.

**1. Composition/Process**

Some misunderstandings in the formulation matrix and process (especially on the terminology) were clarified.

Formulation needs scanning electron microscopy.

**Discussions to complete T. Sköld's answers:**

GALDERMA RESEARCH & DEVELOPMENT

635, route des Lucioles, BP87 - 06902 SOPHIA ANTIPOLIS cedex - FRANCE - Tel: (33) 04 93.95.71 90 - Fax: (33) 04 93 95 70 33

# ~~CONFIDENTIAL~~

*Laurent's comment: To my knowledge, Gas spheres as defined in the patent and explain by Mr Skold, are air bubbles surrounded by surfactant monolayer (it remains to be proved!!). These gas spheres are produced during the stirring process conducted without vacuum. So it is not appropriate to define as a foam the dispersed phase containing the gas spheres.*

*Laurent's comment: A foam (Medicated Foam) is generally define as a preparation containing a large volume of gas dispersed in a liquid and formed at the time of administration from the preparation in a pressurised container. For classical foam on the market, the gas (propellant) is a liquefied gas (mixture of short alcane) mixed with the preparation on pressurized container. At equilibrium there is generally the preparation with liquid gas and a gaseous phase in the top of the preparation to maintain the equilibrium of pressure. This is a biphasic system. In some cases the liquefied gas is not completely miscible in the preparation so we could have a tri phasic system.*

Some study was performed with and without gas sphere to show the difference in formulation, Sköld will provide data of this study.

## Classification of Restoraderm Formulation

➤ The classification of the Restoraderm formulation was not clear as to its classification as emulsion or suspension, based on scientific or regulatory points of view; T. Sköld will come back with M. Silvander's opinion (Dr Silvander from the Institute for the surface Chemistry, Sweden) and Galderma will look at the regulatory definitions. This precision is also of importance for the patent and freedom to operate point of view. Previous art to be considered will be different if it is an emulsion or not.

## Excipients

- The status of the excipients needs to be checked and updated:
- Ceramides III (Degussa excipient formulation) had a DMF nearly available but additional studies were needed for Degussa to file with FDA however Collagenex refused to pay for it; to date there is no DMF (need to be checked).

*Formulation expert's comment is that the technology is not so much innovative as it is based on liposome structure however from Thomas Sköld point of view as regards the novelty is:*

- To have within the formulation both the vesicles phase and the lipid particles
- The ratio between the lipids (ceramides-phospholids; palmitic acid and cholesterol) same as the ratio in the stratum corneum.
- The presence of a lipid precursor such as Mevalonic acid and 25-hydroxycholecalciferol for the skin barrier repair purpose i.e lower the risk of perturbations in lipid structures

Those three points allow excellent diffusion of an active, leaving the skin intact or even enhanced after application and its flexibility to be a system for lotions, creams and foams.

# ~~CONFIDENTIAL~~

## 2. Stability from Sciarra:

Stability Data from Sciarra were reviewed by T. Sköld and S. Shaimi: T. Sköld has comment on the process and composition used to generate several batches with different API (see Sciarra report Restoraderm Foam vehicle stability study 05/08/07): Stability results are questionable since the correct process was not used (one phase instead of 3, the API was added at the end ...; the composition doesn't comply to the correct ratio of lipids)

*Additional Skold's comments: Sciarra didn't follow the advised process and they also changed the ratio between the lipids. However they also ignored to adjust the pH environment. Like with Metronidazol one would have to lower the pH to 4.5 something to minimize initial decay. When it comes to Tacrolimus they should have melted the substance in the lipids before adding any water what so ever. If one doesn't add the active ingredient in one of the fractions one can not be sure where the active stays in the formulation coming back to the issue of a homogenous formulation*

## 3. Clinical and non clinical studies.

To evaluate the Restoraderm potential impact on the skin barrier different studies were performed:

- Transepidermal water loss (TEWL) at different time-spans conducted by Dr Ruby Ghadially (California): Restoraderm vs Olux. Animal studies are needed for readings after several days.
- Fluorescent penetration study (Ruby Ghadially)
- Penetration varies to active to active depending on lipophilicity and the size of particles (L. Ringstad studies)
- Comparator study on the vehicle alone on dry skin : objective to measure the effectiveness of Restoraderm in reducing or eliminating chronic hand contact dermatitis (poster , Dr Joseph Fowler University of Louisville) study supported by Collagenex

Only presentation slides or poster are available to support those studies. No data were found in the Collagenex files. If needed Sköld could arrange a meeting between Dr Joseph Fowler and Galderma Clinicians.

## 4. Industrial Property

Patent Procedure is on-going in many countries including US. In US, the patent application as filed is rejected, but a new set of claims can and will be proposed to try to bring novelty and inventive step to the invention and to convince the examiner.

However IP strategy will need to be supported by experimental work to compare compositions of Restoraderm technology to other compositions described in some previous art listed in the patent procedure

## 5. Conclusion

For T. Sköld, Restoraderm technology is "very good story to tell" a story based on the barrier restoration ability

« Restoraderm is a novel dermal drug delivery vehicle formulated to provide unique skin barrier restoration properties »

T. Sköld as inventor as well as investor believes strongly in Restoraderm and is eager to help Galderma in this assessment.



Från: Thomas Sköld [mailto:thomas-skold@telia.com]

Skickat: den 1 december 2009 12:45

Till: 'DE BRUYNE Chris'

Ämne: Restoradern

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~~CONFIDENTIAL~~

Dear Chris,

Exhibit T 28  
Skold v. Galderma  
Cancellation No. 92052897

Believe it or not but it was a pleasure meeting you last Friday.

I have started to prepare a list of items that shall be returned to me according to §8.5. Enclosed please find what I have recalled so far.

I do have some meetings and conference calls next week and the following week so I might get back to you adding on items that now have slipped my mind.

About what we discussed in regards to a potential meeting with a few opinion leaders let me get back to you after my discussions during the next few weeks.

All the best,  
Thomas

**Public**





~~CONFIDENTIAL~~

-----Ursprungligt meddelande-----  
 Från: WALLACE Jim [mailto:JIM.WALLACE@galderma.com]  
 Skickat: den 8 februari 2010 21:02  
 Till: Thomas Sköld  
 Kopia: DEBOEVER Jake  
 Ämne: RE: FW: Ocean Shipment to Sweden  
 Prioritet: Hög

**Public**

Exhibit **T 29**  
 Skold v. Galderma  
 Cancellation No. 92052897

Thomas,

The only products we have to ship back:

[REDACTED]

You have made reference to 10 different items.

Jim Wallace

-----Original Message-----  
 From: Thomas Sköld [mailto:thomas-skold@telia.com]  
 Sent: Monday, February 01, 2010 9:55 AM  
 To: WALLACE Jim  
 Cc: DEBOEVER Jake  
 Subject: SV: FW: Ocean Shipment to Sweden

Dear Jim,

I'm finally back in Sweden.

[REDACTED] and we need to change the invoice so this is clear to K&N and also that the invoice should be a proforma invoice to clarify that there is no commercial value in these samples. They will actually all be destructed I imagine when they get here. Some of them are 7 years old. There should be but I haven't seen anything about them. samples of products manufactured in 2005/2006 like [REDACTED]

[REDACTED] by Sciarra that could be of interest to me for valuation purposes. In any case these should be part of the shipment.

I'm not sure whom I should communicate with in regards to all the documents being returned like assignments of patent applications, stability data documents and so on. These are of essence to me now that I have take responsibility over the patent applications. I can't do anything before I do receive these.

Kind regards,  
 Thomas Skold

-----Original Message-----  
 From: WALLACE Jim [mailto:JIM.WALLACE@galderma.com]



Sent: den 27 januari 2010 17:38  
To: Thomas Sköld  
Cc: DEBOEVER Jake  
Subject: RE: FW: Ocean Shipment to Sweden  
Importance: High

~~CONFIDENTIAL~~

Mr. Sköld,

Is there a company name and address that Galderma can ship too? I am being told by K&N that they cannot move this freight unless it delivers to a company. K&N does not handle shipment for private persons.

If not, the next option is to utilize the services of a relocation company.

Please let me know at your convenience.

Thanks,

Jim Wallace  
Galderma Labs

-----Original Message-----

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Monday, January 25, 2010 8:57 PM  
To: WALLACE Jim  
Subject: SV: FW: Ocean Shipment to Sweden

[REDACTED] I hope that it will help you shipping things over.  
Regards, Thomas

Public

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TRADE SECRET/COM

IVE

Sent: den 29 maj 2007 00:2  
To: Thomas Sköld  
Subject: Re: [REDACTED]

Exhibit T 30  
Skold v. Galderma  
Cancellation No. 92052897

I will see what's the earliest we can meet in the afternoon  
and let you know

----- Original Message -----

From: Thomas Sköld

Sent: Saturday, May 26, 2007 5:03 AM  
Subject: SV: [REDACTED]

Hi [REDACTED]

I was working on our boat all day and evening yesterday that's why my response is late.  
Thursday afternoon means that I won't be able to make the 5.30 PM flight on Thursday probably. To make the Thursday  
flight I need to leave New York at around 3.15 PM. However if late afternoon is our only option that's what we are going  
to do. I can always take the Friday flight back home.

Have a great weekend.

Regards,  
Thomas

Skickat: den 23 maj 2007 21:35  
Till: Thomas Sköld  
Ämne: Re: [REDACTED]

They want to do the afternoon. Is that ok with you? Let me know.  
LK

----- Original Message -----

From: Thomas Sköld

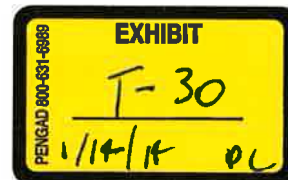
Sent: Friday, May 25, 2007 3:32 AM  
Subject: SV: [REDACTED]

I think that we could let hem decide breakfast or lunch which ever works best for them.

Regards,  
Thomas

Skickat: den 24 maj 2007 19:58  
Till: Thomas Sköld  
Ämne: Re: [REDACTED]

Thomas



~~TRADE SECRET/COMMERCIALLY SENSITIVE~~

However you want to do it ,it will be fine

probably for sake of time, breakfast meeting is ok but lunch will be ok too you let me know so that I can book them

----- Original Message -----

From: Thomas Sköld

Sent: Thursday, May 24, 2007 11:56 AM

Subject: SV: [REDACTED]

You might be right even though I don't have any real problem with it, but it might upset others. Then I believe we should do this, I will make my reservation at the Waldorf as usual and we could have our meeting there. It's also not that far away from Hilton. So our question is then whether we should have breakfast, lunch or even dinner together (or perhaps just a plain meeting)?

Regards,  
Thomas

Skickat: den 24 maj 2007 14:37

Till: Thomas Sköld

Ämne: Re: [REDACTED]

Thomas

I'll get a room for you

perhaps you should not stay at Hilton and we should meet offsite since you may not want to be seen with [REDACTED] people and I can arrange the meeting offsite and let me know hotel preference

----- Original Message -----

From: Thomas Sköld

To: [REDACTED]

Sent: Thursday, May 24, 2007 4:17 AM

Subject: SV: [REDACTED]

Good morning [REDACTED]

Thursday suits me fine but I will try to get in on either Tuesday or Wednesday to enable me to adjust the time difference a bit. You are right I don't have to get in to the meeting (unless there is something really interesting to listening to. I need help with a room reservation from July 31<sup>st</sup> through Aug 2<sup>nd</sup>.

I'm very excited about this meeting. I very much appreciate your effort in making this happen. Thank you!

All the best,  
Thomas

Från: [REDACTED]

Skickat: den 23 maj 2007 22:20

Till: Thomas Sköld

Ämne: Re: [REDACTED]

I will come in on Wednesday but I am booked all day with meetings so Thursday morning will be good I will check with them also

you don't have to register for AAD unless you want to go to a session

~~TOP SECRET/COMMERCIAL SENSITIVE~~  
Sent: Wednesday, May 23, 2007 10:51 AM  
Subject: SV: [REDACTED]

Hi [REDACTED]

That would definitely work for me even though I would love to be back in Sweden for the weekend (short summer as you know). Therefore I would prefer as early in the week as possible! When will you all come in? Tuesday through Thursday would be ideal for me (July 31<sup>st</sup> – Aug 2<sup>nd</sup>).  
I am however since 2004 not an AAD member so I might need assistance in getting a badge together with hotel reservation at the Hilton.

All the best,  
Thomas

---

Från: [REDACTED]  
Skickat: den 23 maj 2007 10:51  
Till: Thomas Sköld  
Ämne: Re: [REDACTED]

Thomas

they suggested we all meet in NY during the academy  
How does that sound to you??

— Original Message —

From: Thomas Sköld

Sent: Tuesday, May 22, 2007 4:47 AM  
Subject: SV: [REDACTED]

Dear [REDACTED]

That is great and very interesting news!

I'm at your disposal so if you want me to come to the US I will do so, or if you wish to come and visit me here in Sweden I would love to have you all here some time. So check with the others and come back to me with suggestions. We should keep this to our selves until we know what will come out of it so I won't say anything to Greg for now but so you know I have mentioned to [REDACTED] Restoraderm, which would be a great product I think.

As you know I was one of the firsts that started working with aerosols (1994) and Quinnova acquired (in 2006) the US rights to Proderm, the technology I (with friends) developed and worked with during 1994-2001. Jeff Day used to be the VP of Dermatology at Collagenex (small world) and started his own company when he left in 2004.

How was Vienna? Did you have a good time, out side work I mean?

All the best,  
Thomas

---

Från: [REDACTED]  
Skickat: den 21 maj 2007 22:58  
Till: Thomas Sköld  
Ämne: [REDACTED]

Thomas

I had couple of meetings with [REDACTED] [REDACTED] [REDACTED] [REDACTED] as well as their global and USA chiefs and they wanted me to set up a meeting  
please let me know couple of day and times and locations  
I don't know when you are coming to US or do you want us to come to Europe



~~TRADE SECRET/COMMERCIALY SENSITIVE~~

From: [REDACTED]  
 Sent: den 24 juli 2008 15:21  
 To: Thomas Sköld  
 Subject: Re: AAD

Exhibit T 31  
 Skold v. Galderma  
 Cancellation No. 92052897

enjoy your break and let me know if I can be of any help

— Original Message —

From: Thomas Sköld  
 To: [REDACTED]  
 Sent: Thursday, July 24, 2008 4:36 AM  
 Subject: SV: AAD

Hi [REDACTED]

[REDACTED] Galderma takes forever to make up their mind. Right now the issue is with France and I'm invited to go to Nice at their R&D headquarters on August the 28<sup>th</sup>. Art thought that there could be a final decision by mid September or there around. He has been very good to me but there are a lot of people that has to agree with the Americans. So I will be meeting with all the big guys from France and with that they should be ready to make the decision. It does sound like that there is an interest it is just that so many people needs to have something to say about it.

OTC is an option of course. I doubt it would give me close to the money Collagenex owes me but for sure it is an option. One might consider splitting the technology so that one company takes OTC and one Rx. We should give Galderma a bit more time to make up their mind but if nothing happens in September, yes then I need to move ahead with other options.

I won't go to Chicago unfortunately. I have been tied up with Galderma so much during the summer and now when they start their summer vacation I will try to get at least two weeks of brake from it all and go out to our island and just relax. Then I need to be back in mid August and prepare for my meeting in Nice.

Thanks for caring and enjoy the summer.

All the best,  
 Thomas

Från: [REDACTED]  
 Skickat: den 24 juli 2008 02:33  
 Till: Thomas Sköld  
 Ämne: AAD

Thomas

How is everything with Galderma?  
 How is Art doing?  
 Are you coming to AAD to Chicago?  
 Did you ever consider selling the technology to a cosmetic OTC company rather than medical ??

Best regards



## TRADE SECRET/COMMERCIALLY SENSITIVE

-----Original Message-----

From: [REDACTED]  
Sent: den 1 augusti 2007 02:04  
To: [REDACTED] Thomas Sköld  
Subject: Mutual interests

Dear [REDACTED]

Thomas has some items you may be interested in; he has interested in a few Swedish companies that have notable dermatology products. H is at the Waldorf; his cell is

[REDACTED]

[REDACTED]

Exhibit	T 32
Skold v. Galderma	
Cancellation No. 92052897	

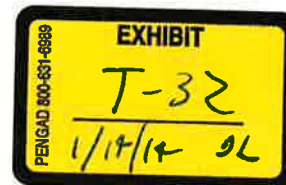
[REDACTED]

[REDACTED]

## NOTICES:

1. Email with blank subject lines will be assumed to be SPAM and will be deleted automatically.  
Email with the subject line "hi" will suffer the same fate.
2. If you are communicating via a listserv and do not copy me to my email address directly, I may not see your mail as I cannot read all of the mail sent via each and every listserv and bulk delete much of it.
3. If you can and do read every email from every listserv, you need a life :)

(The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer. Because e-mail can be altered electronically, the integrity of this communication cannot be guaranteed.)





From: [REDACTED]  
Sent: den 4 augusti 2007 10:56  
To: Thomas Sköld  
Subject: Re: Restoraderm

Thomas

My pleasure and thank you for the follow up. I look forward to hearing the results of your meetings with Greg and based on the outcome of that our next discussions.

Regards

11

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

\_\_\_\_\_

Exhibit T 33  
Skold v. Galderma  
Cancellation No. 92052897



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Thomas Chubb

H

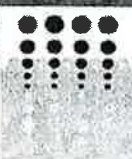
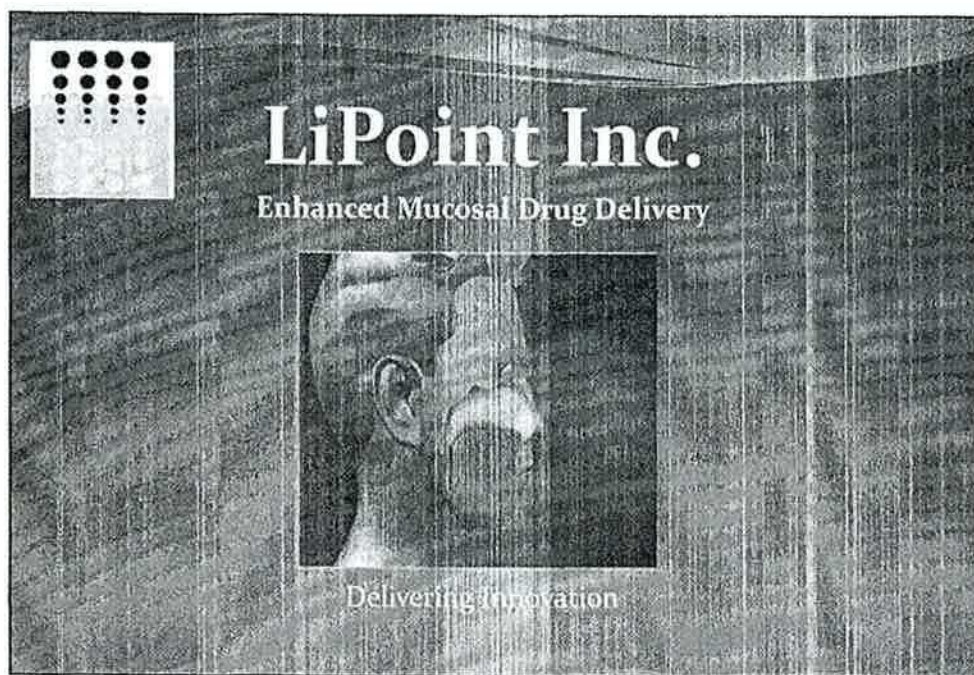
And thank you for today. It was supposed to be on my treat but I realized too late that you had taken care of the check for us all. Next time must be on me then.  
I will get back to you all when I have had my meeting with Greg Ford and then we will see where that takes us.

**All the best**

Thomas

TRADE SECRET/COMMERCIALY SENSITIVE

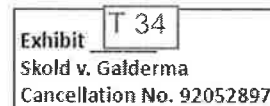
Ps. enclosed please find the power point business plan for LiPoint which is the intra nasal, buccal and oral delivery technology similar to Restoraderm where we at this point only are looking for small amounts of funds.

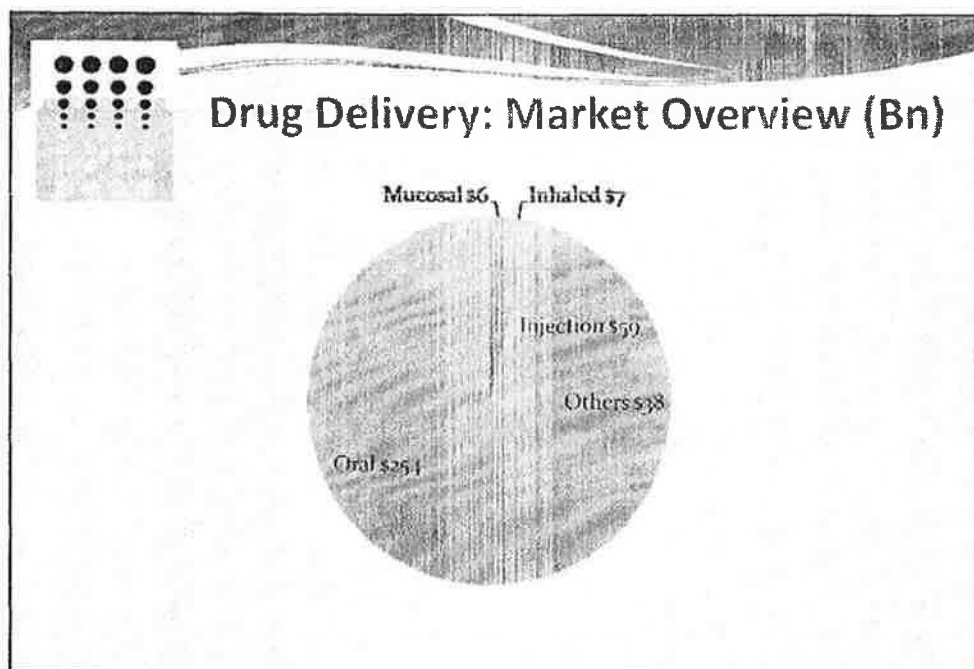


### Key Investment Considerations

- Large untapped market potential for enhanced mucosal (and specifically nasal) drug delivery technology
- Late stage pre-clinical development program
- Proprietary technology
- Development strategy planned to maximize return on investment
- Pipeline includes multiple product opportunities with different regulatory strategies – OTC, 505(b)2, NDA
- Focused, efficient drug development infrastructure
- Highly qualified and experienced management team

1





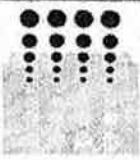
**Nasal Drug Delivery: Large, Well-Defined Market Opportunity with Significant Room for Expansion**

Market	2005 TRx (000)	% Change	2005 Sales (\$000)	% Change

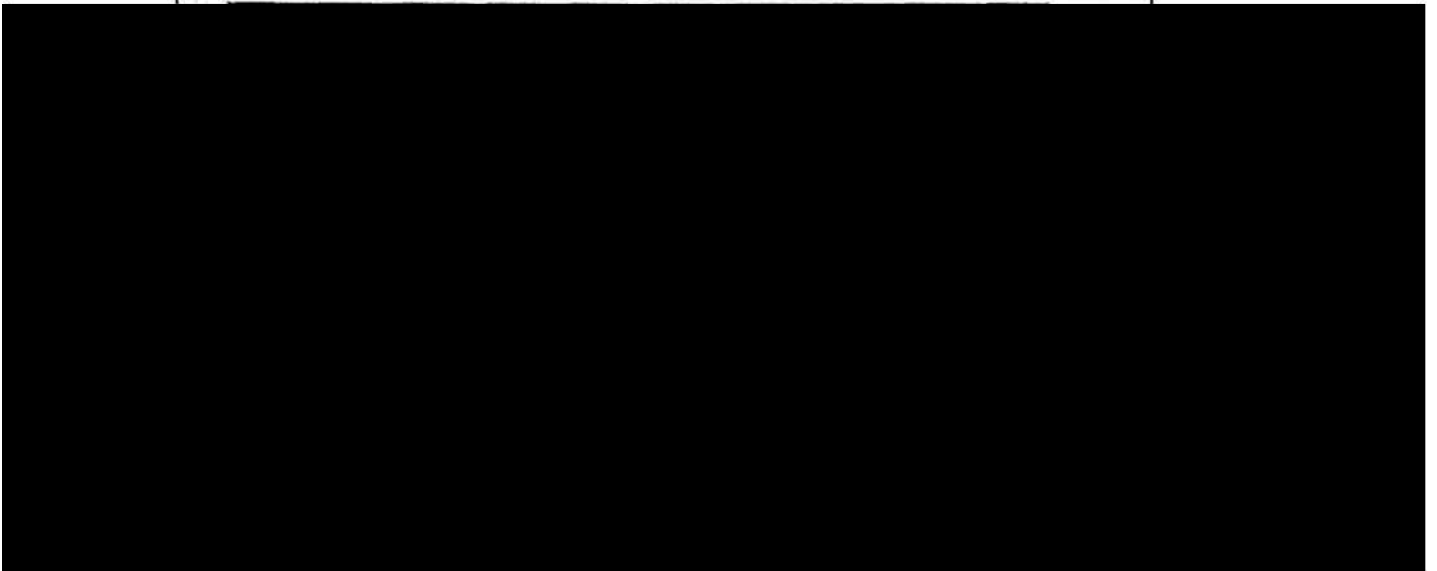


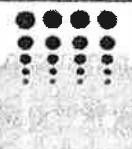
## Nasal Drug Delivery Companies

Company	Technology / Products	Development	Money	Market Cap
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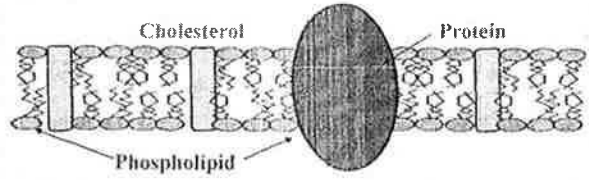
## LiPoint Clinical Pipeline: Status 08/07

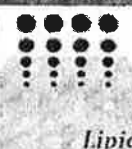







## LiPoint Mucosal Drug Delivery System

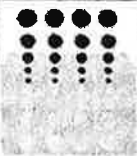
The LiPoint Mucosal Delivery System is a formulation of lipids that is constructed to mimic the lipid organization of a cell membrane





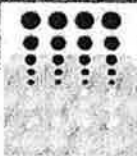
## LiPoint Mucosal Drug Delivery System

<i>Lipid Particle</i>	<i>Vesicle</i>	<i>Polymer Particles</i>
 <p><b>Fatty Acid</b></p>	 <p><b>Water</b></p>	
<p><b>Monolayer Surrounding a Fatty Acid Core</b></p>	<p><b>Bilayer Surrounding a Water Core</b></p>	<p><b>Particles with Flexible Protective Polymer Layers</b></p>
<div style="border: 1px solid black; padding: 2px; width: 80px; margin: 5px auto;">Diameter: 1-5 <math>\mu</math>m</div> <div style="border: 1px solid black; padding: 2px; width: 80px; margin: 5px auto;">Promotes Longer Contact Time with Mucosa</div>	<div style="border: 1px solid black; padding: 2px; width: 80px; margin: 5px auto;">Diameter: 20-500nm</div> <div style="border: 1px solid black; padding: 2px; width: 80px; margin: 5px auto;">Particles Rapidly Absorbed</div>	<div style="border: 1px solid black; padding: 2px; width: 80px; margin: 5px auto;">Increases Stability and Circulation Time</div>



## LiPoint: Mechanism of Action

- LiPoint penetrates the lipid bilayers of a membrane creating a temporary and reversible state of enhanced energy among the bilayers
- Enhanced energy promotes absorption of the active drug ingredient
- Lipid bilayers return to their normal state shortly after penetration of the active drug ingredient

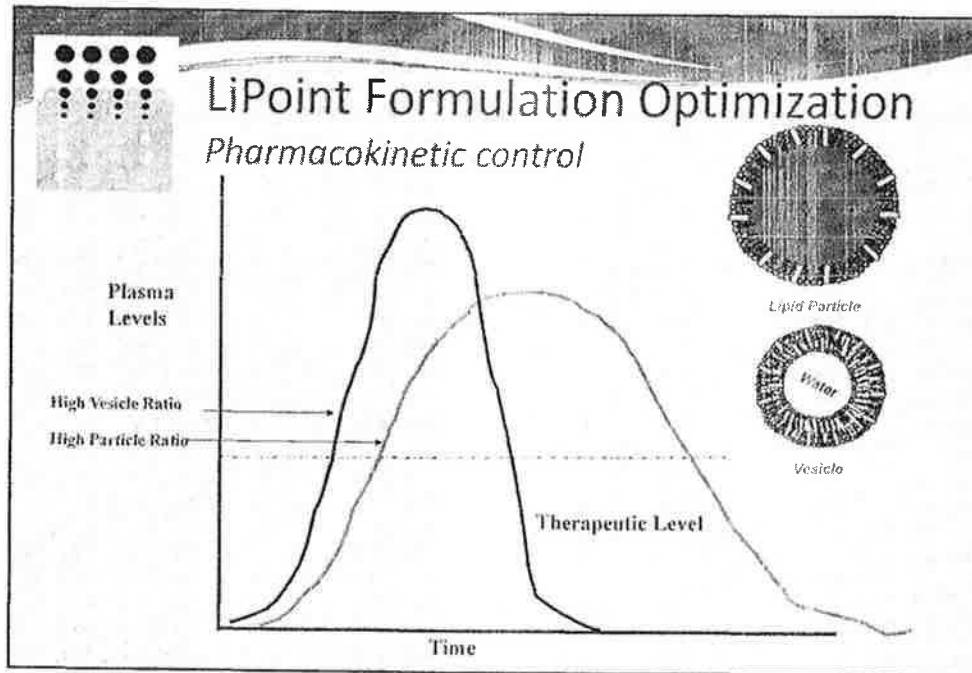


## LiPoint Mucosal Drug Delivery System

### *Advantages*

Standard Nasal Delivery Vehicle	LiPoint
Adjuvants/surfactants chosen for ability to dissolve active ingredient	Formulation specifically designed for combining optimal drug uptake and low side effects
New actives need new adjuvants	Formulation solubilizes both hydrophilic and lipophilic substances
"One Size Formulation Fits-All"	Formulation tailor-made to obtain desired pharmacokinetic profile
Consists of water with added surfactants and/or polymers	Consists of naturally occurring lipids that disperse in water

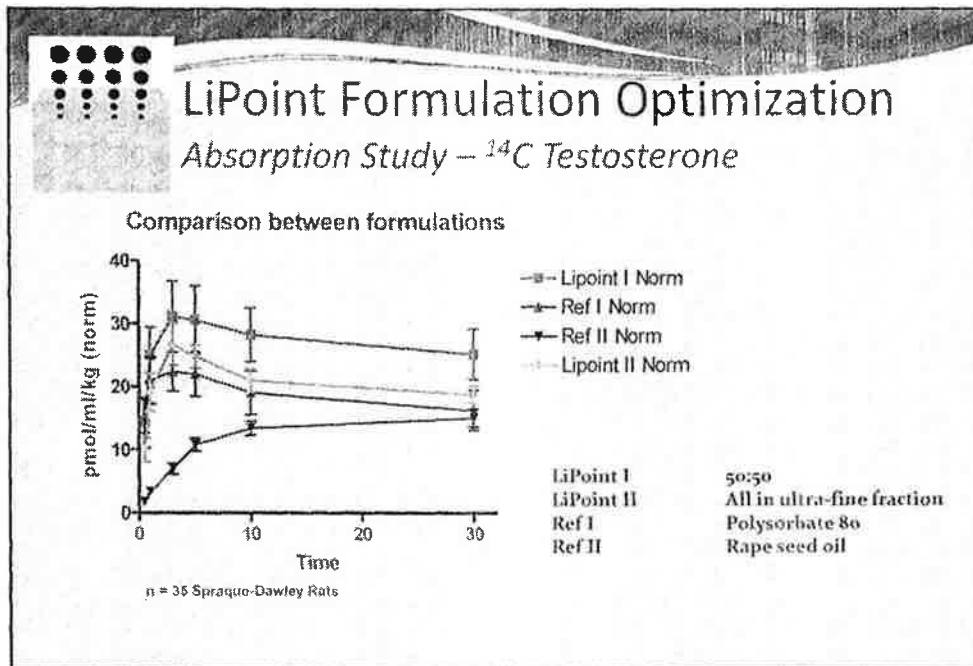




**LiPoint Mucosal Drug Delivery System**  
*Proof of Concept*

- Absorption Study
- well characterized rat model
- Visionar, Uppsala, Sweden
- Patentability review
  - Independent analysis by seasoned expert
- Market analysis
  - Determination of initial product mix
- Competitor review



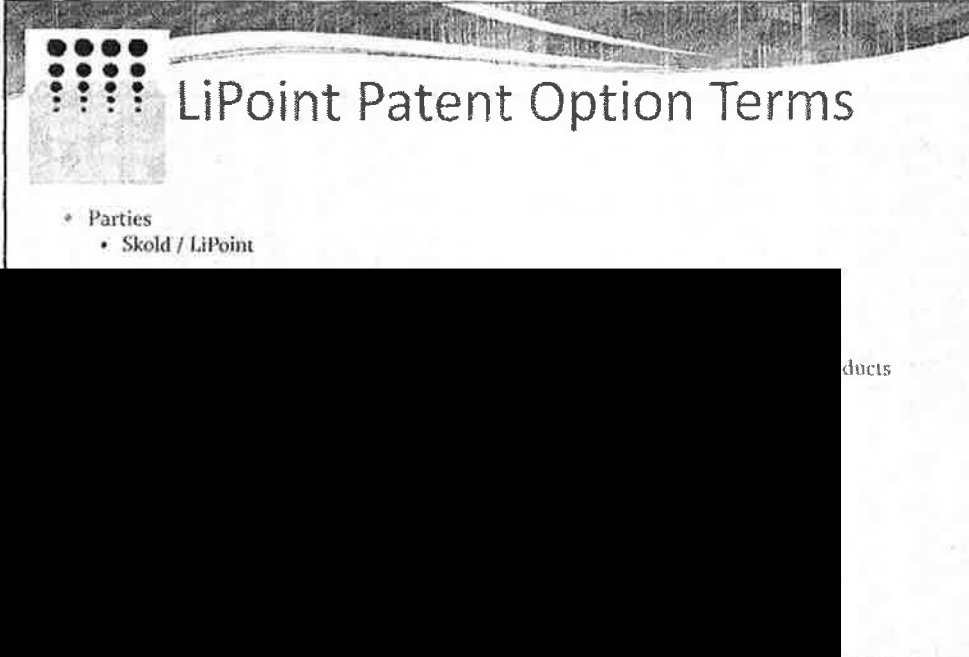


### LiPoint Patent Opinion

- Arthur Jackson PhD (4/06)
  - Pieter Cullis (University of British Columbia)
- Key conclusions:
  - Main potential interference: Skold patents licensed to CGPI
  - LiPoint patent differentiates technology
    - Lower lipid content

[REDACTED]

- Specific mixture of fractions (particles / vesicles)
- CGPI license *specifically excludes* mucosal delivery

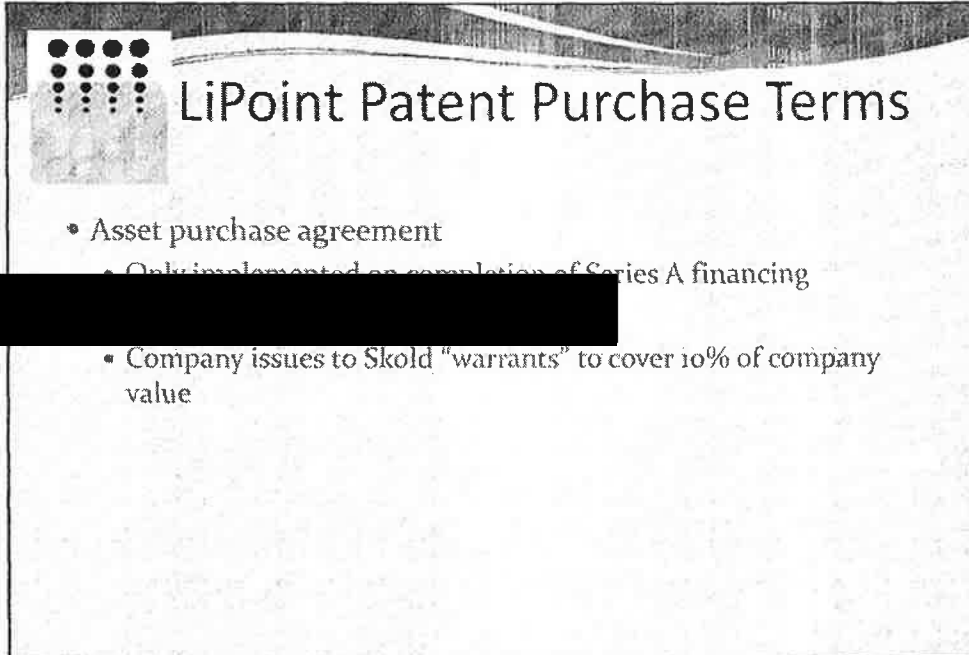


LiPoint Patent Option Terms

- Parties
  - Skold / LiPoint

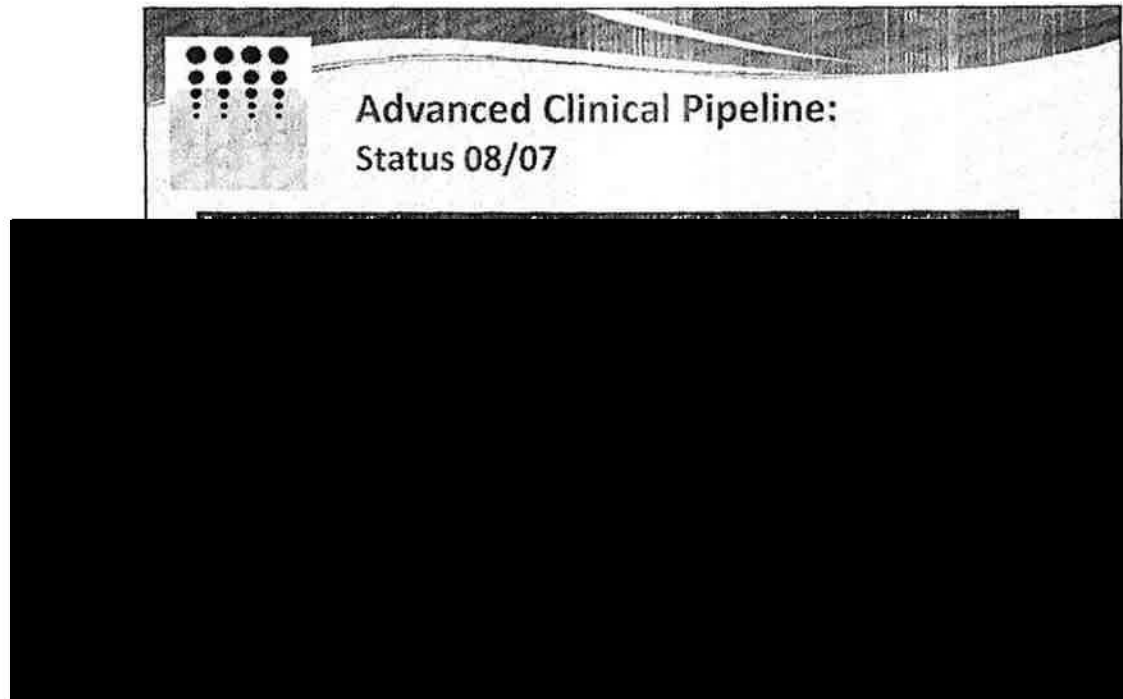
[Redacted content]

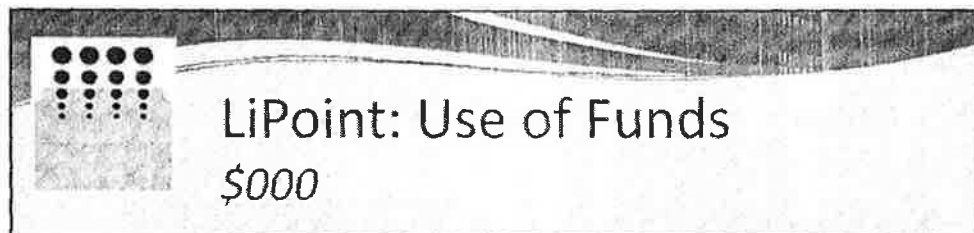
ducts

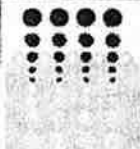


LiPoint Patent Purchase Terms

- Asset purchase agreement
  - Only implemented on completion of Series A financing
- Company issues to Skold "warrants" to cover 10% of company value

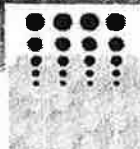






## LiPoint Management Team

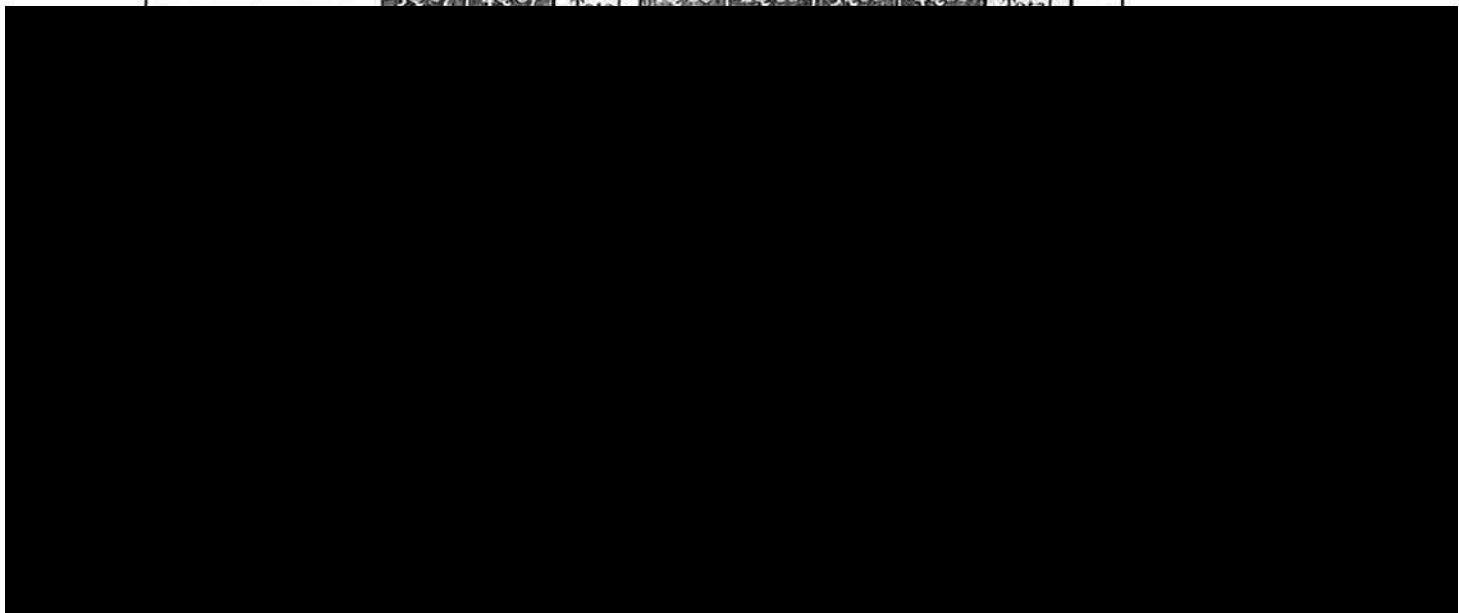
Name	Title
Robert Ashley	Chairman, CEO & President, Co-Founder
Thomas Sköld	Executive VP, Co-Founder
Wayne Morrison	Director of Finance, Treasurer, Secretary
Mats Silvander	Director of Research

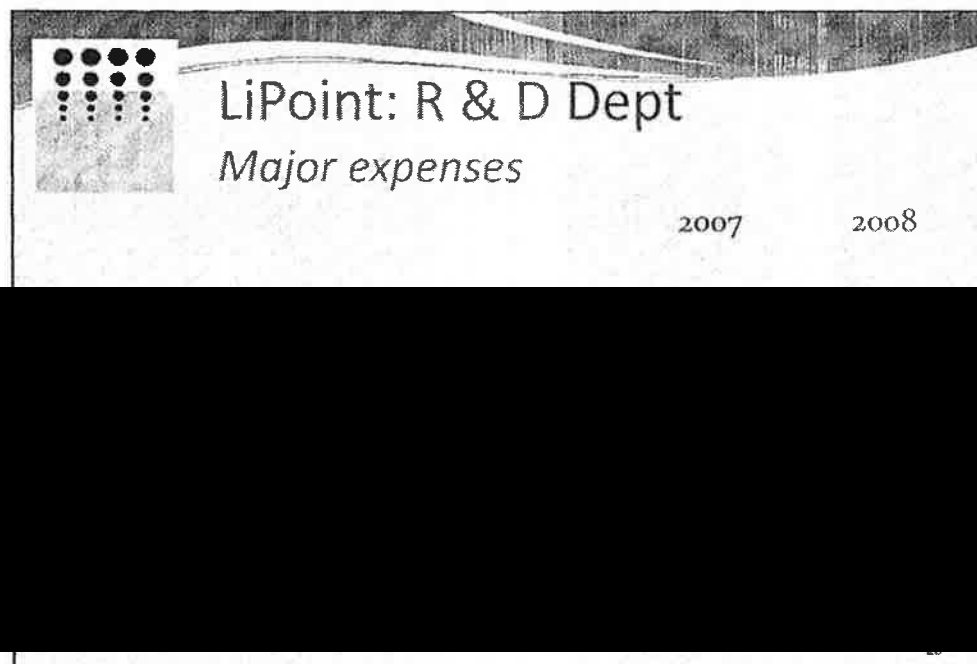
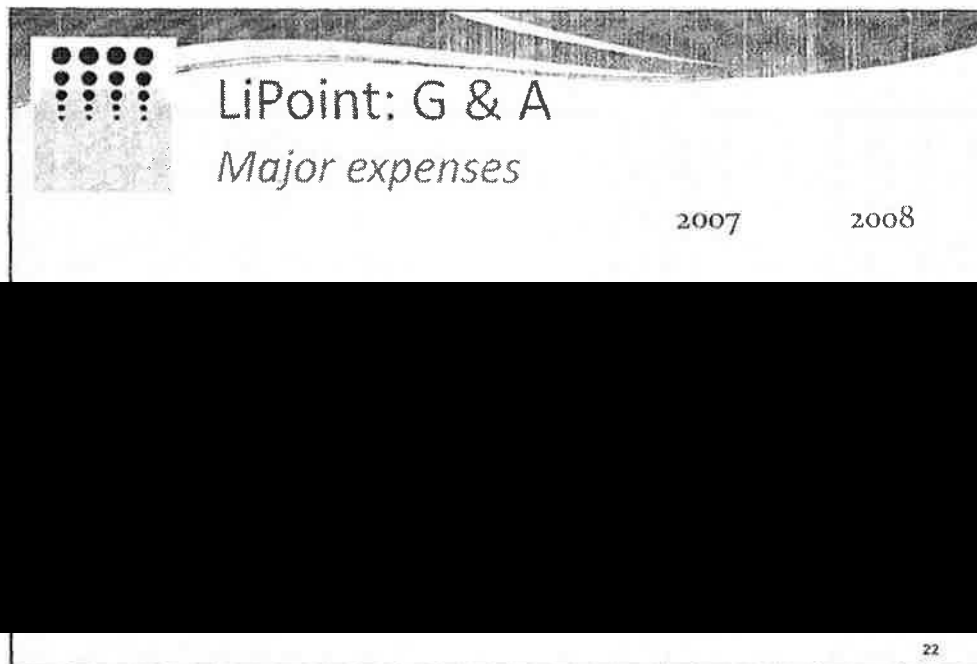


## LiPoint: Personnel Plan

\$000

3Q 07	4Q 07	2007 Total	1Q 08	2Q 08	3Q 08	4Q 08	2008 Total
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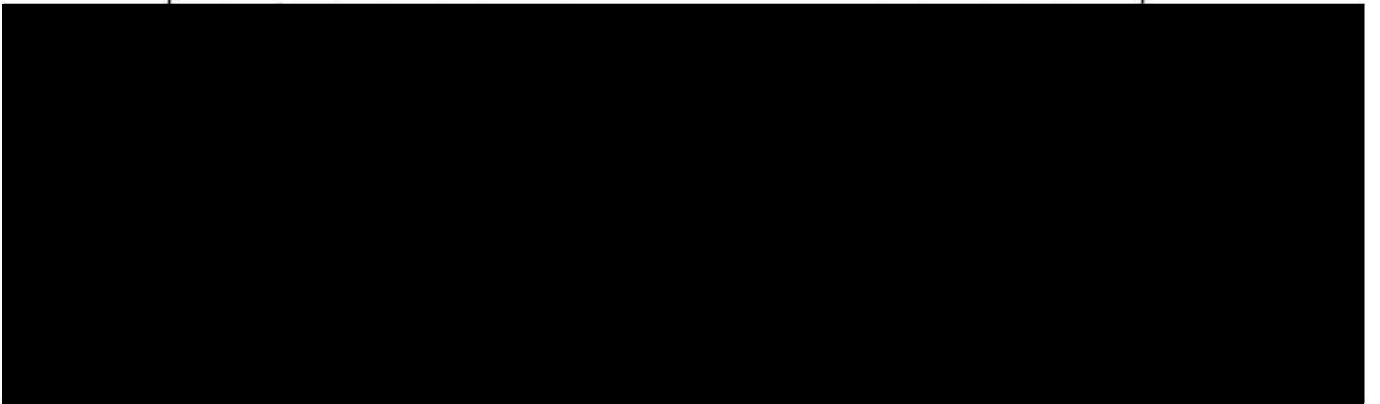




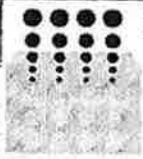


## LiPoint: Product Development


### *Major expenses*



24



## Summary

- Large untapped market potential for enhanced mucosal (and specifically nasal) drug delivery technology
  - Late stage pre-clinical development program
  - Proprietary technology
  - Development strategy planned to maximize return on investment
- 
- Pipeline includes multiple product opportunities with different regulatory strategies – OTC, 505(b)2, NDA
  - Focused, efficient drug development infrastructure
  - Highly qualified and experienced management team

25

## TRADE SECRET/COMMERCIALLY SENSITIVE

From: [REDACTED]  
 Sent: den 4 augusti 2007 11:13  
 To: Thomas Sköld  
 Cc: [REDACTED] tman@ [REDACTED]  
 Subject: Re: FW: LiPoint Materials

Exhibit	T 35
Skold v. Galderma	
Cancellation No. 92052897	

Thomas

Thank you for the follow up and update. I think, unless Brent feels differently, that once you have clarity on a way forward with Collagenex and a path for us to explore options is clear, we should move forward with a CDA. However, I think absent that path and options it may be premature to sign a CDA and discuss options as too many things could change leaving us with lots of work and discussions and no way forward.

Is that acceptable?

Regards

[REDACTED]

[REDACTED]

[REDACTED]



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Thomas Sköld <[thomas-skold@telia.com](mailto:thomas-skold@telia.com)>  
 Fri 03 Aug 2007 10:36 PM



Gentlemen,



TRADE SECRET/COMMERCIALLY SENSITIVE

Enclosed please find information regarding the systemic technology (still with some editing problems) as promised.

About my meeting with Greg, which as usual was a pleasant one, I got some info and more important his support in working with me on this. They are not ready to give it up as I thought but at the same time they need another 2-3 months to decide what two products to pursue. He is not aware of our meeting but I said that I do have a few options that I am looking in to and that money and projects/products needs to be resolved in a near future even if that means that we divide the technology where Collagenex gets the opportunity to keep two or maximum three products (defined in one way or the other).

If you do see an interest in Restoraderm we should in a very near future sign a CDA since I have some more info that I would like to share with you and also so that I can analyze the fit within your portfolio.

All the best,  
Thomas

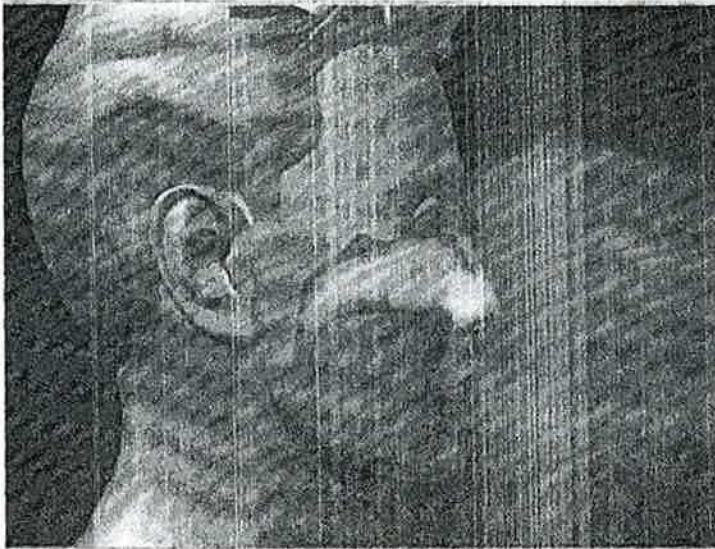


Exhibit T 36  
Skold v. Galderma  
Cancellation No. 92052897

LiPoint Inc.

Enhanced Mucosal Drug Delivery

DESCRIPTIVE MEMORANDUM

Delivering Innovation

STRICTLY PRIVATE AND CONFIDENTIAL

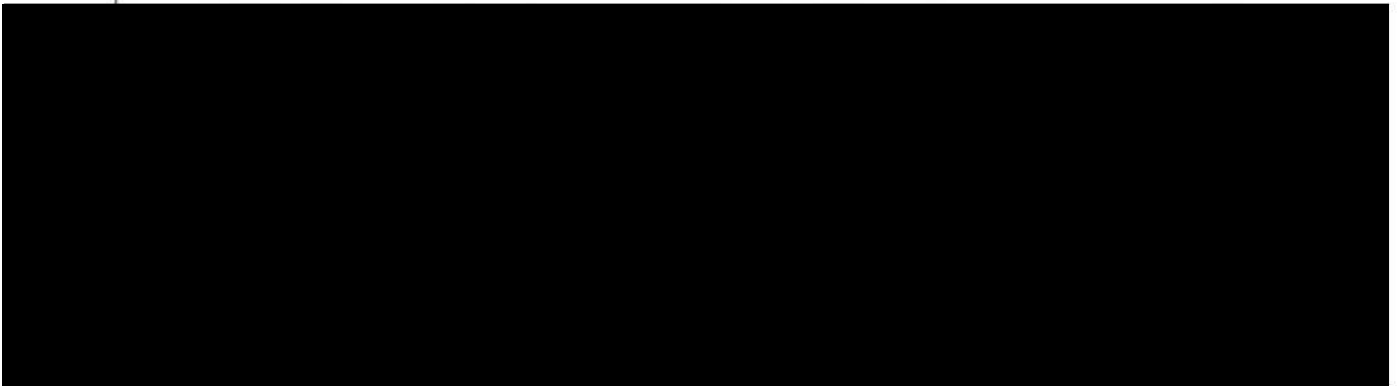


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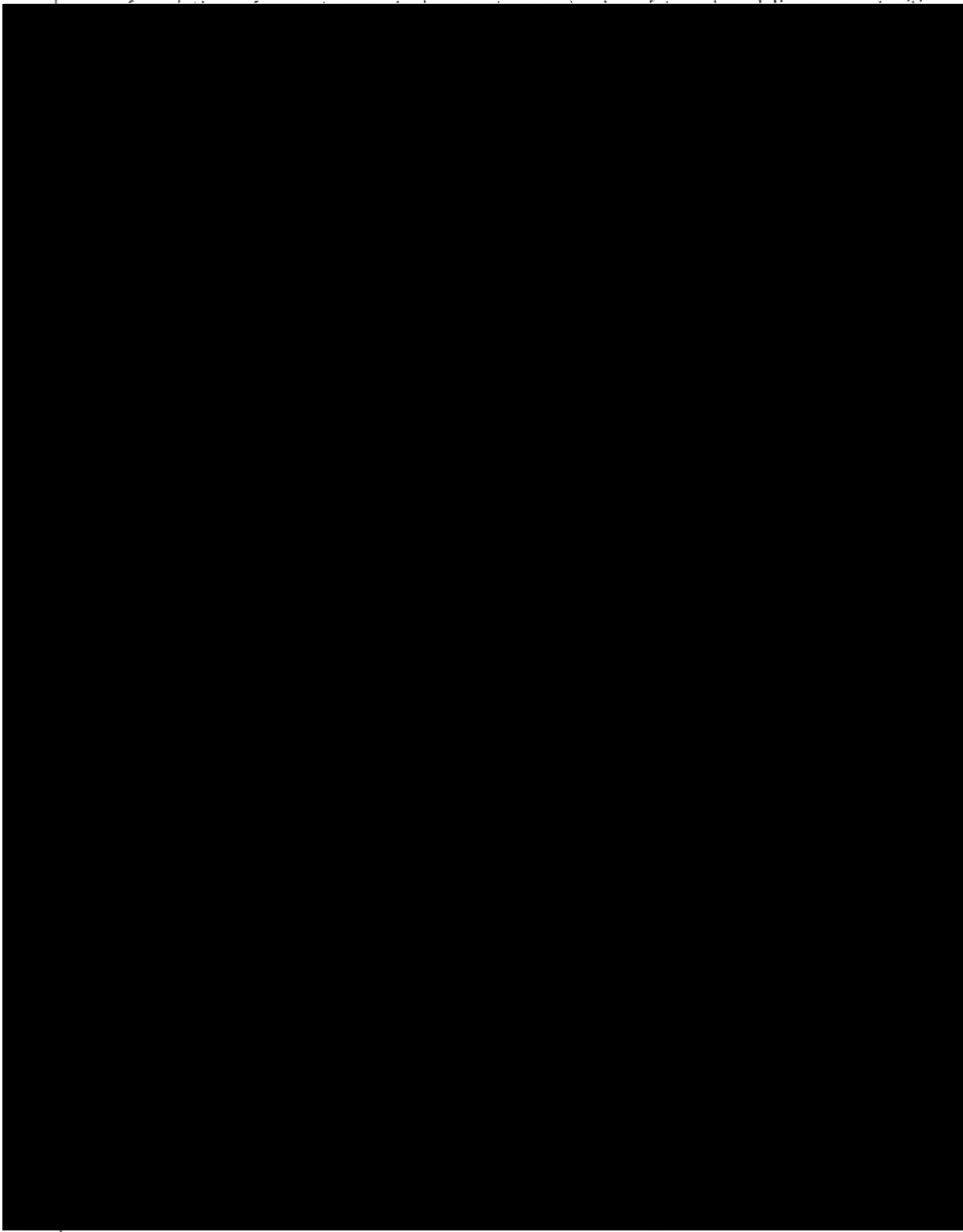


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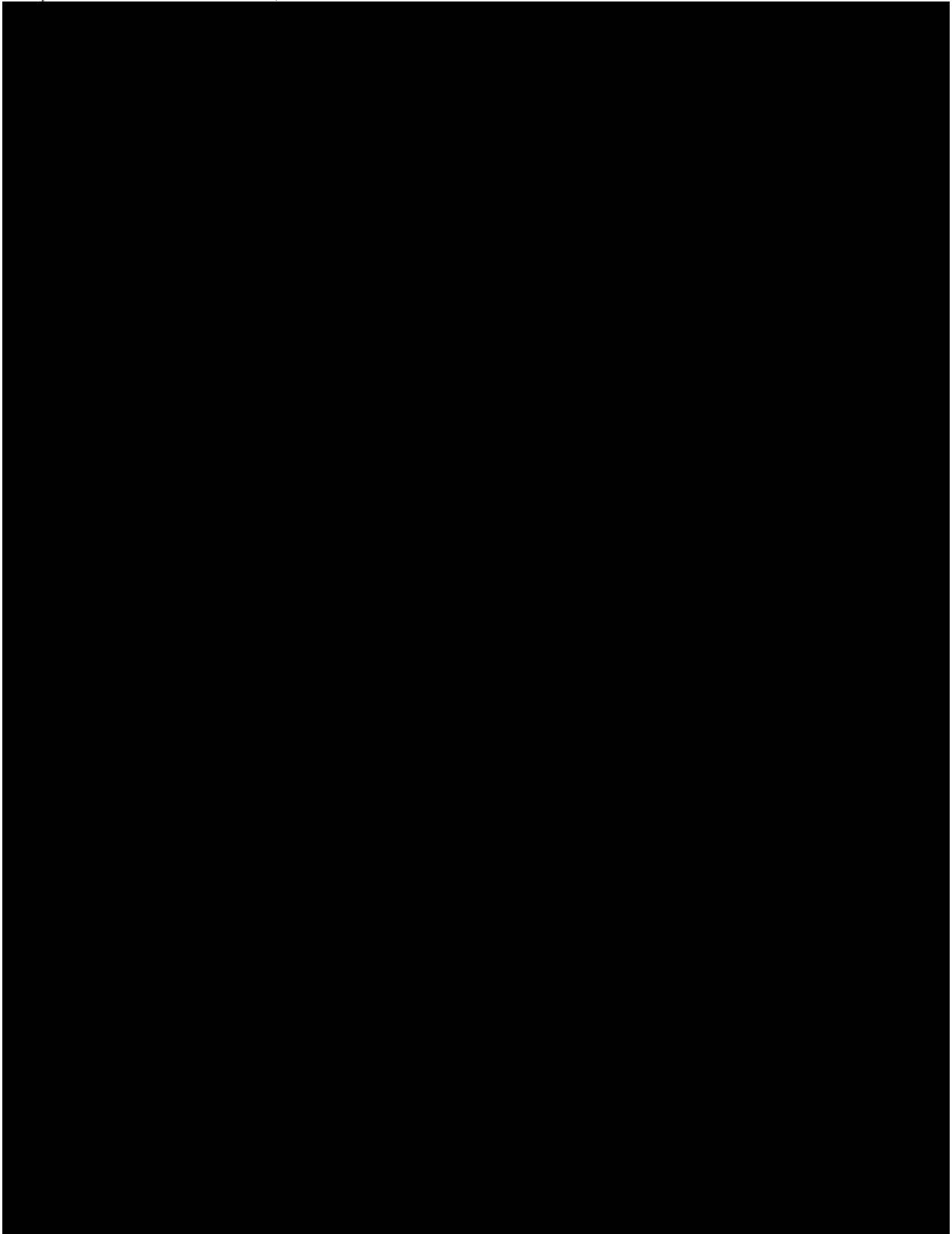
DESCRIPTIVE MEMORANDUM

## 1. Overview

LiPoint Inc., an enhanced mucosal drug delivery company with near-term, proprietary



LiPoint Inc. was founded in May 2007 by Robert A. Ashley, an experienced biopharmaceutical entrepreneur who was most recently CEO of the clinical stage oncology drug development



The Company is seeking a pre-Series "A" investment of ~\$1MM in order to establish a modest



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## 2. Key Investment Highlights

*Large untapped market potential for enhanced nasal drug delivery technology*

[REDACTED]

*Late stage pre-clinical development program*

[REDACTED]

*Multiple product opportunities with the goal of one IND per year for the next 5 years*

### *Proprietary technology*

- Proprietary nature of technology in complex IP niche confirmed with multiple independent patent opinions
- Over 5 years of formulation development has been incorporated in LiPoint product concepts

### *Development strategy to maximize return on investment*

- Partners will be sought for the development past proof-of-concept, sales and marketing of LiPoint products

### *Pipeline includes multiple product opportunities with different regulatory strategies*

- Development strategy includes OTC, 505(b)2 and NDA development of various products in multiple categories and indications

### *Highly focused, efficient drug development infrastructure*

[REDACTED]

### *Highly qualified and experienced management team*

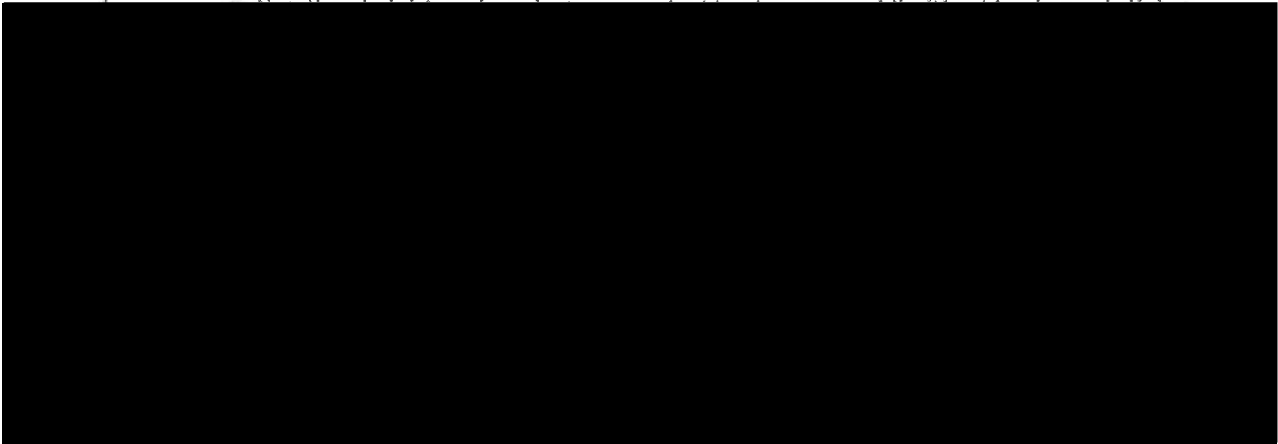
- CEO, Robert Ashley, has over 24 years experience in a variety of operational and management roles in both large and small pharmaceutical companies
- LiPoint inventor, Thomas Sköld, responsible for development of novel drug delivery technology resulting in multiple products and worldwide licensing agreements

<sup>1</sup> New Medicines Oncology Database

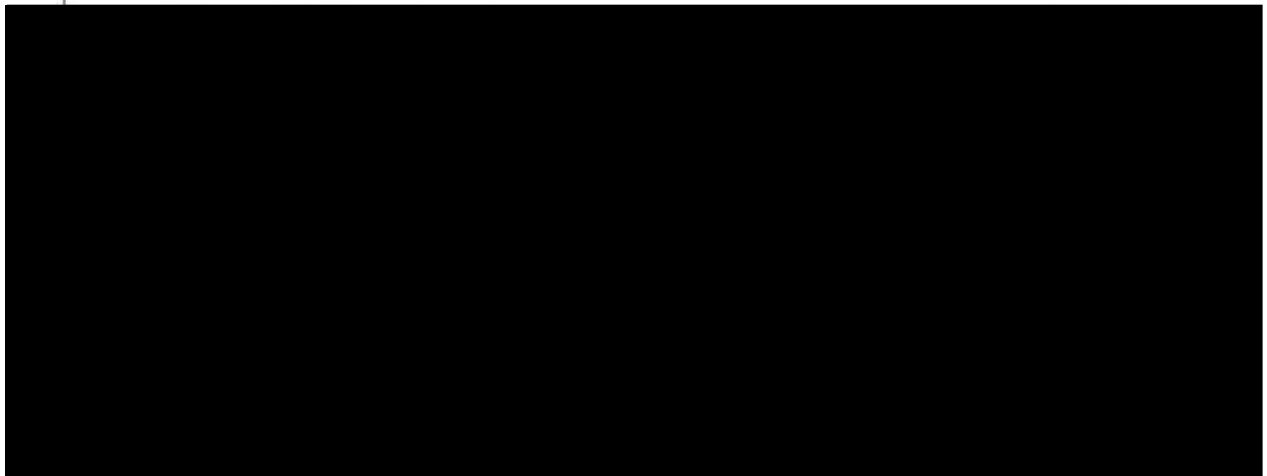


### 3. Industry Overview

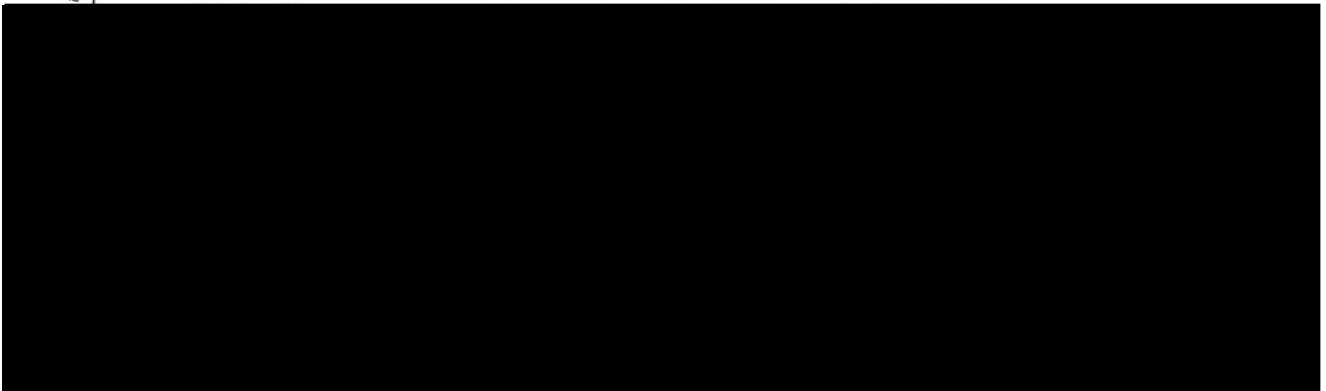
The nose, or more precisely the nasal cavity, is the target of the administration of many drug products. It is estimated that currently about 2% of the overall drug market is administered by the nasal route. There are a number of reasons why more and more nasally administered drugs are coming to market - and why there are a growing number in various stages of development:



#### 3.1 US Nasal Rx Market

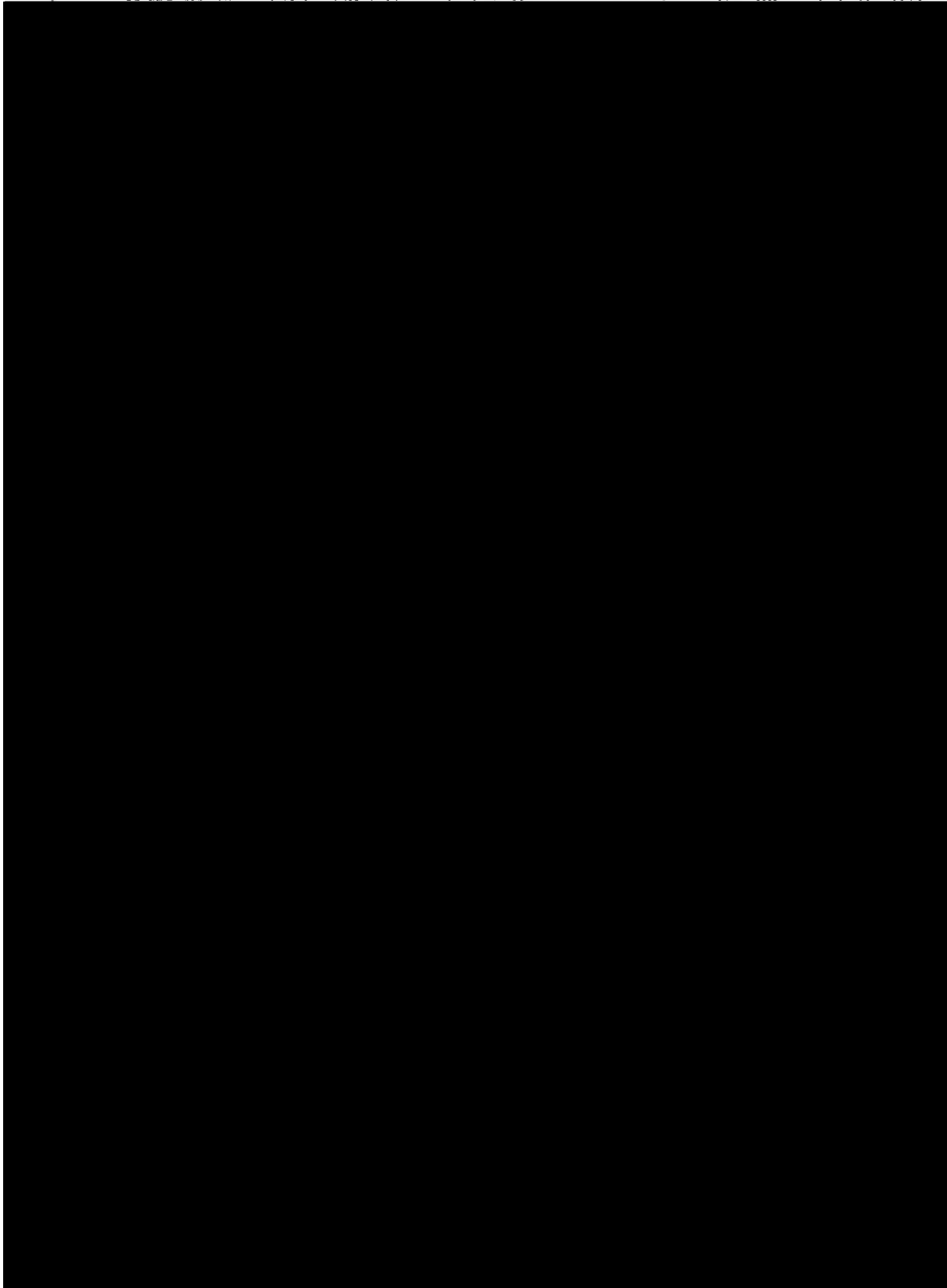


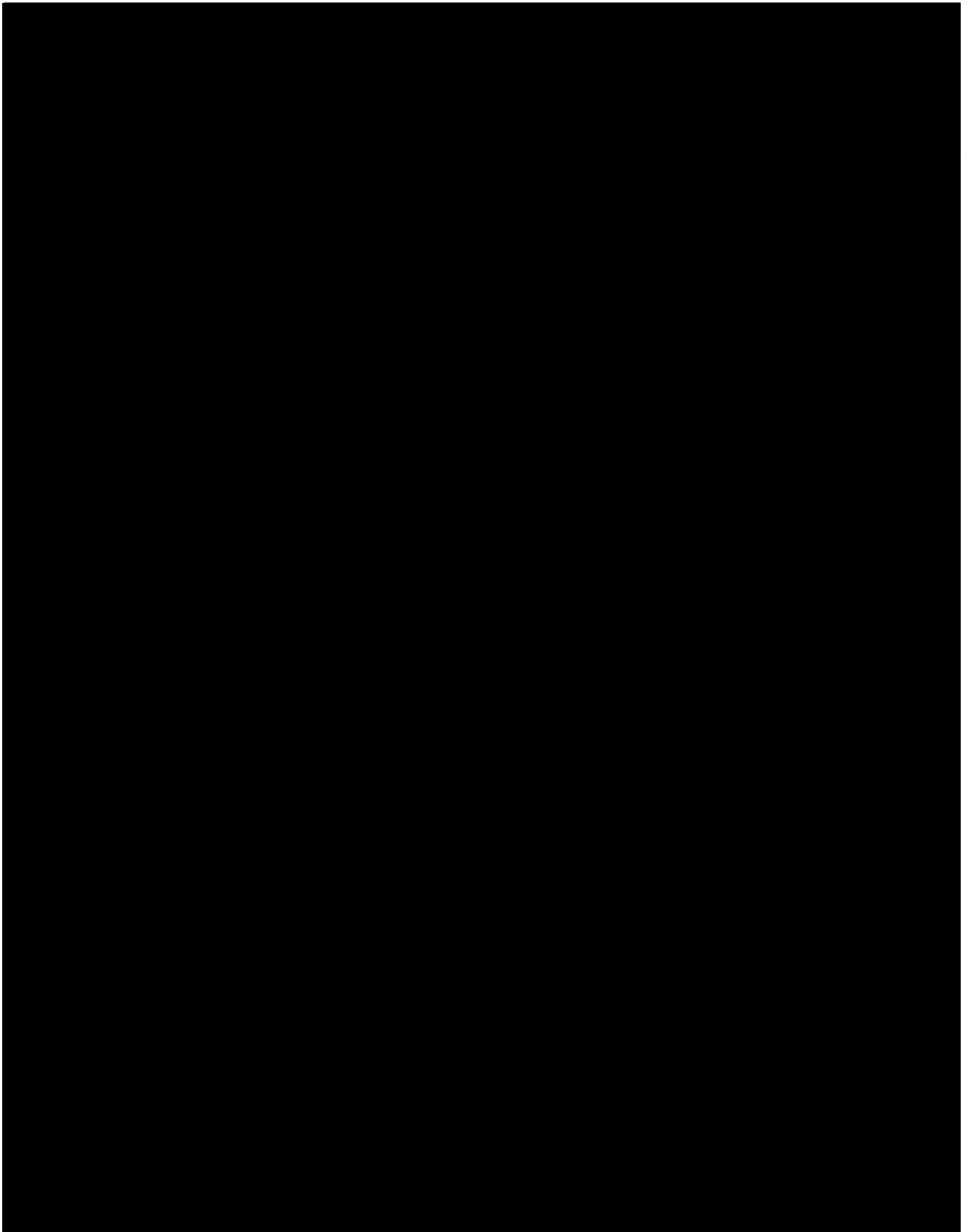
#### 3.2 Major Product Segments



177X segment and 32.770M of sales.

Nasal/Allergy Segment Overview





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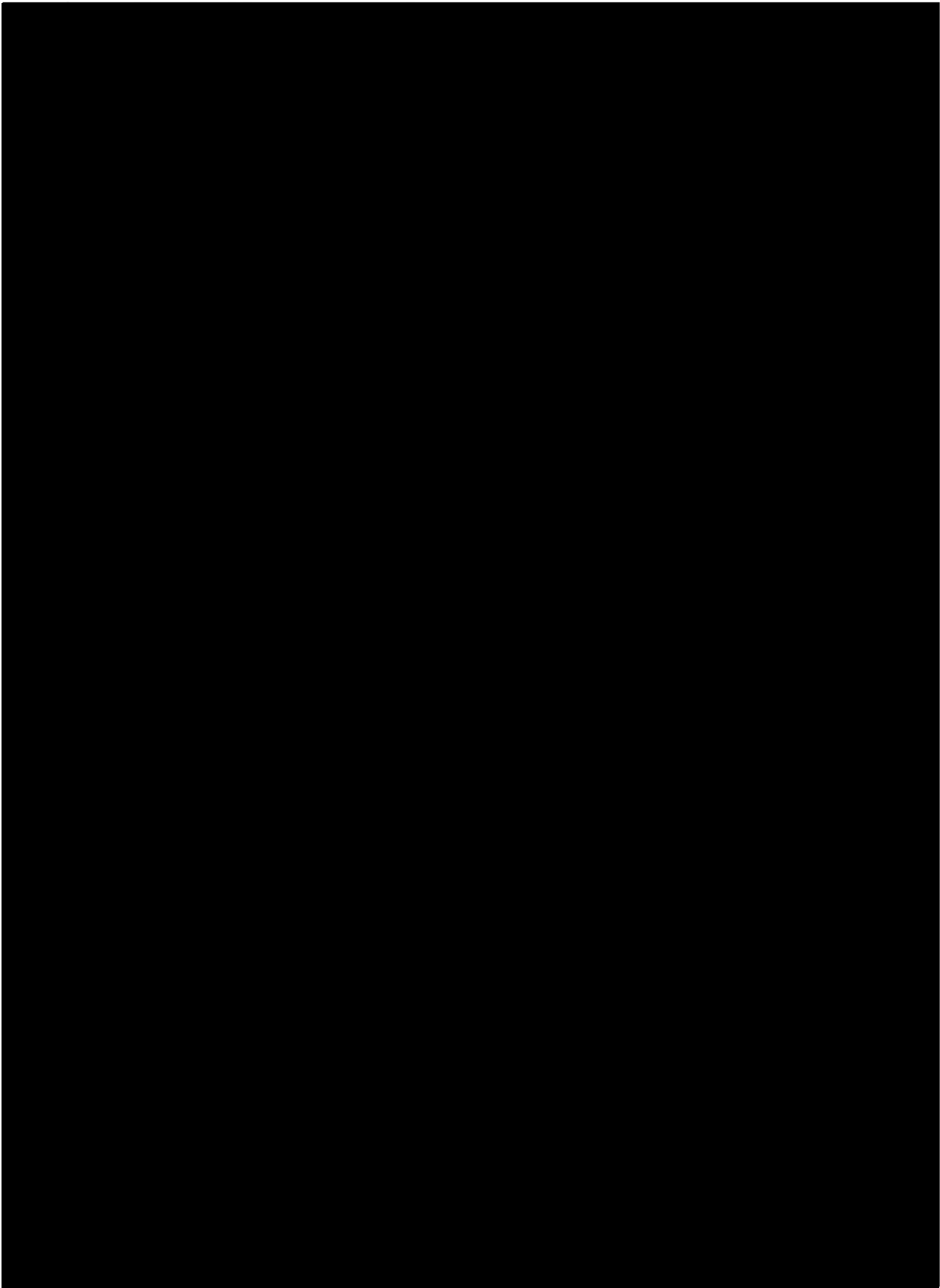
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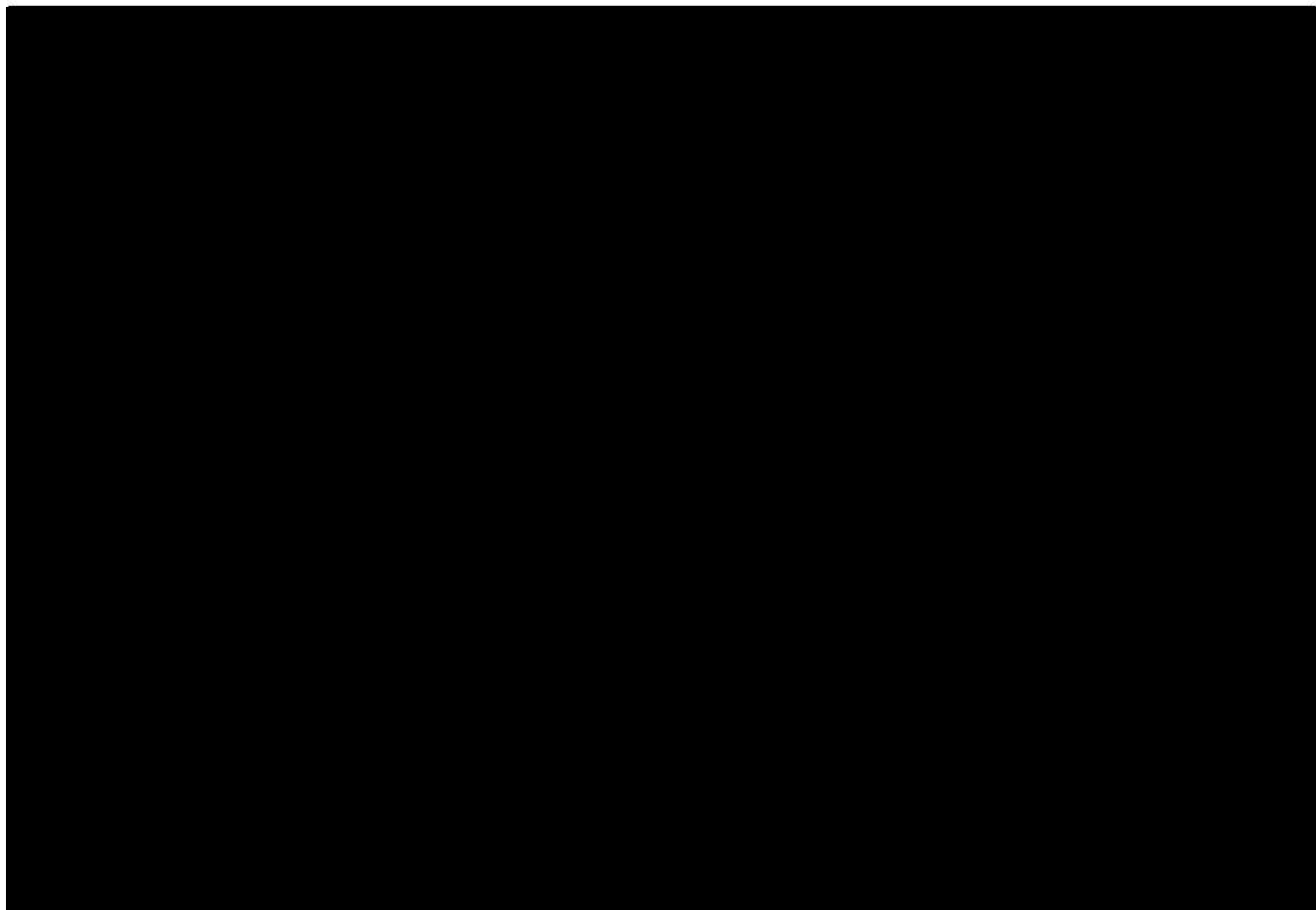
#### 4. LiPoint Market Opportunity

It is clear that there are numerous drugs which, at least in principle, would benefit from a



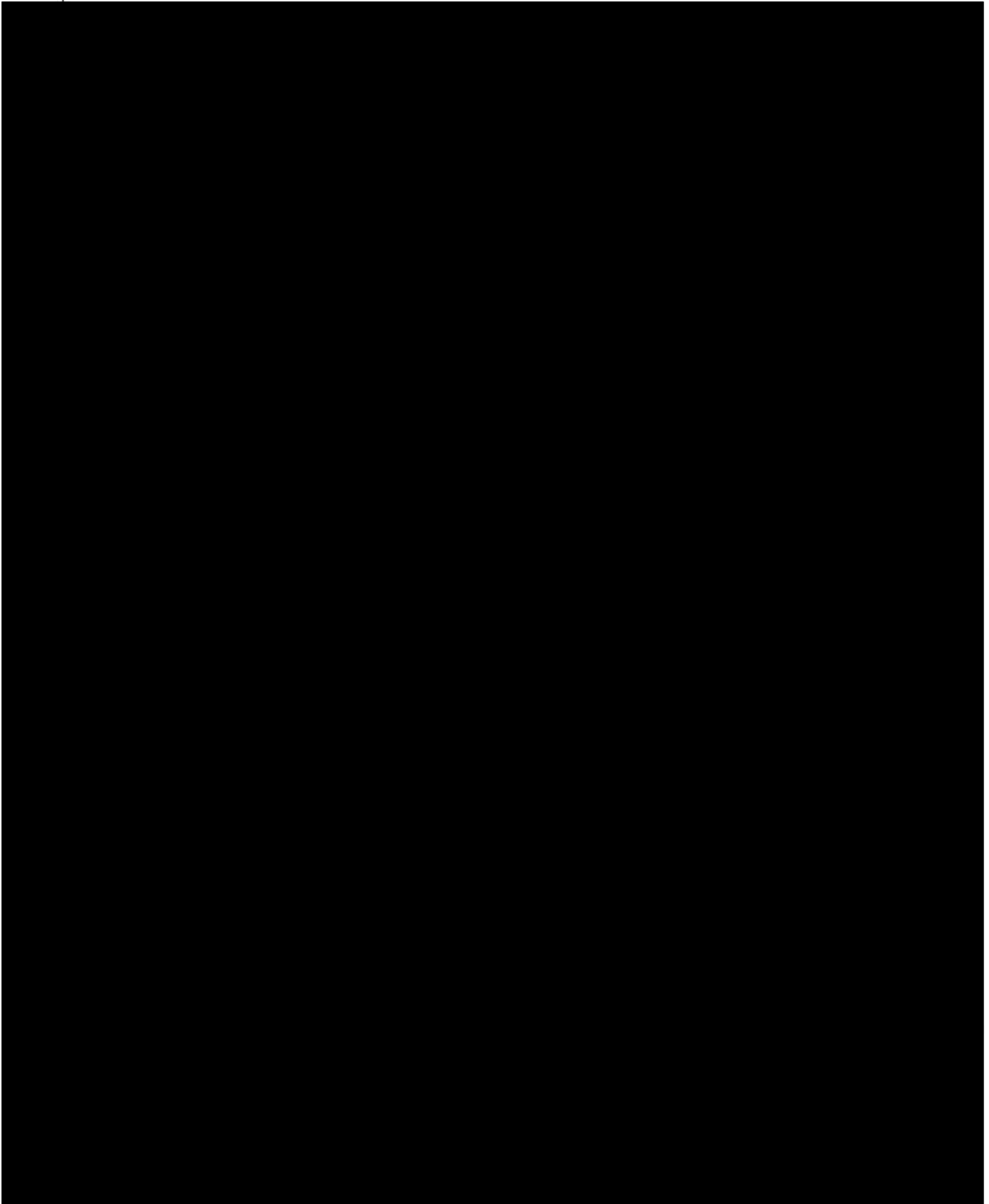


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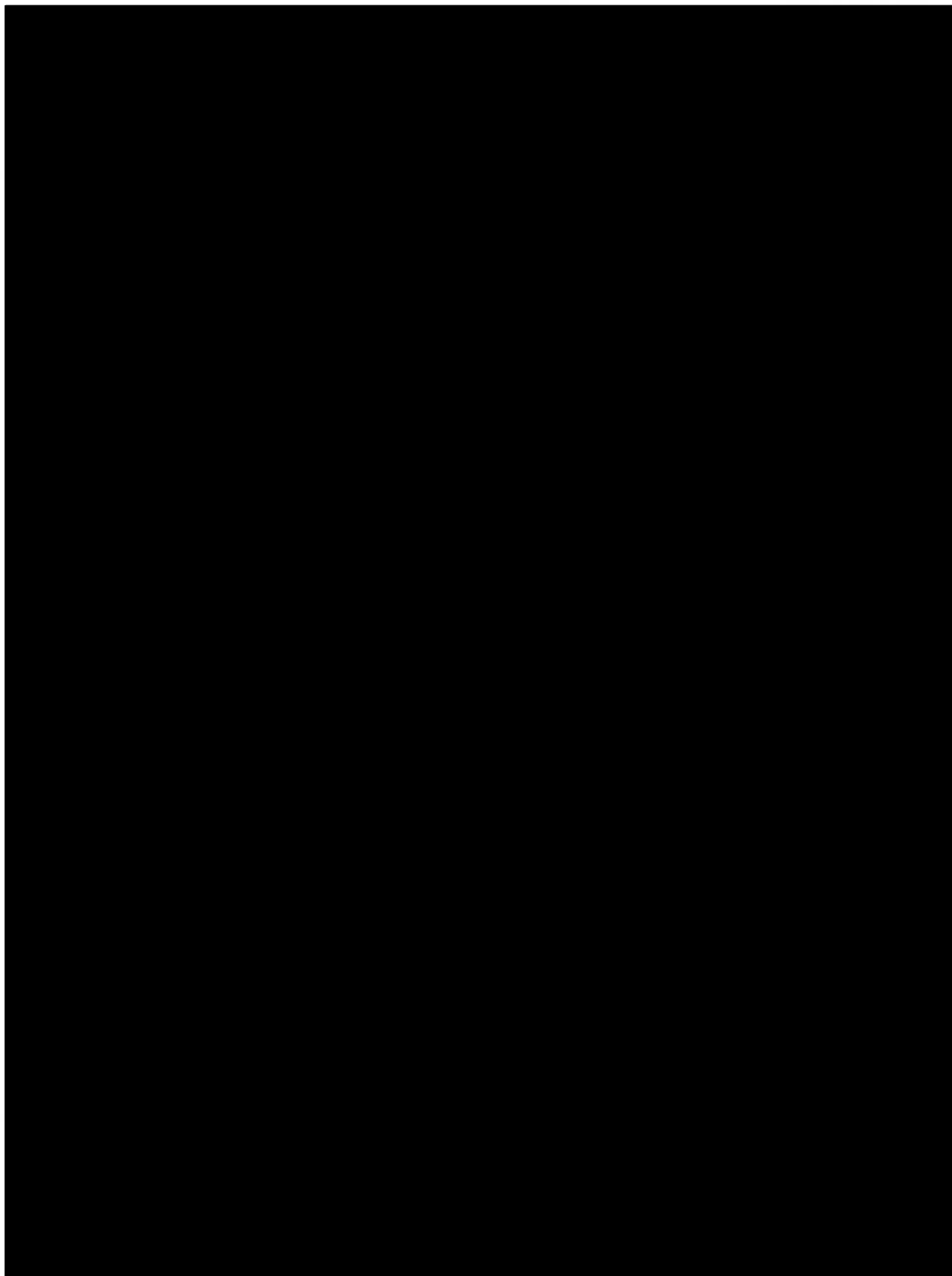


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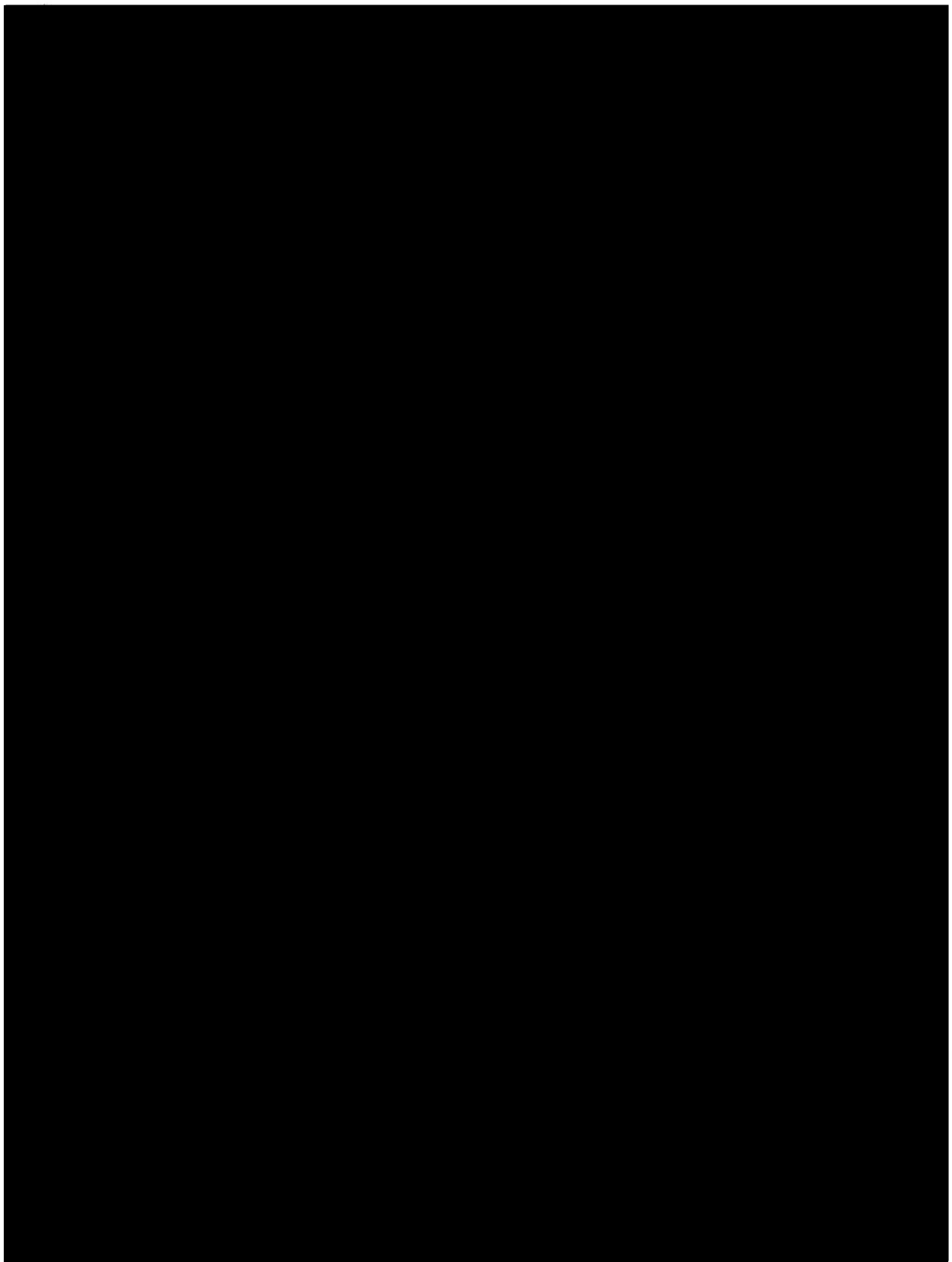
5. LiPoint Products



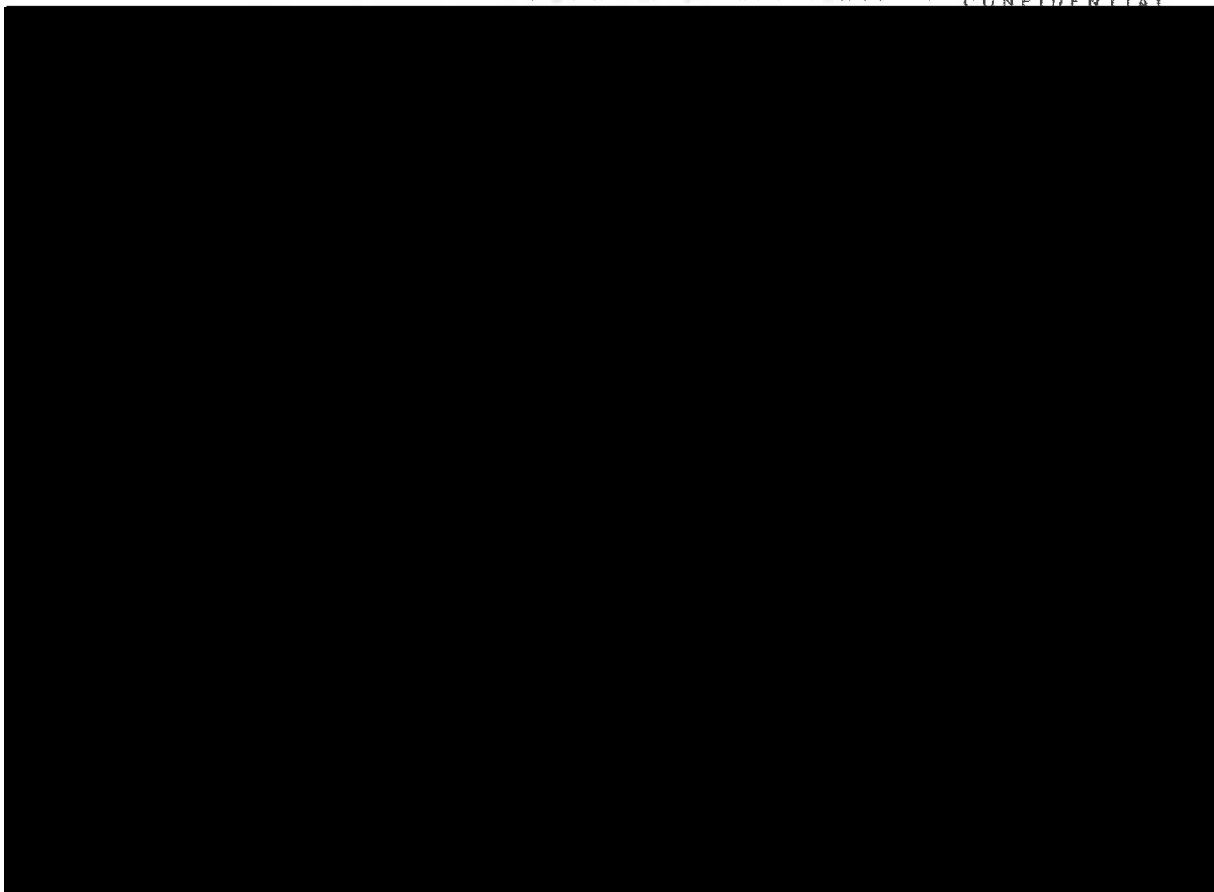




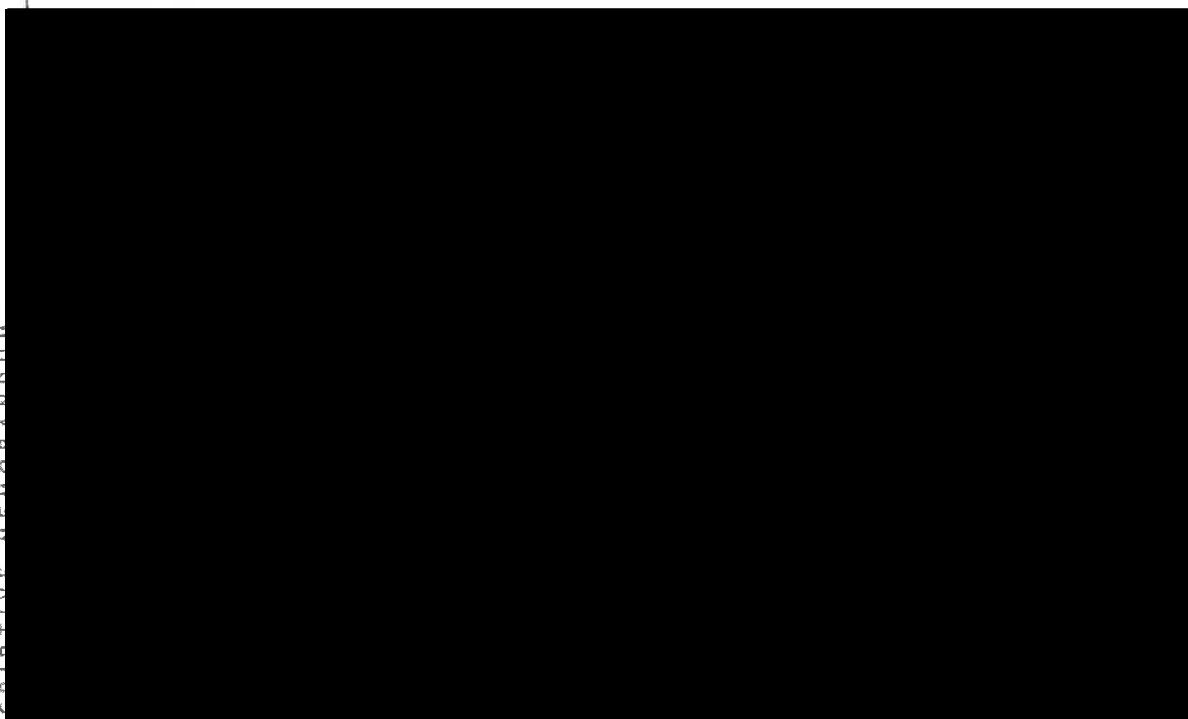
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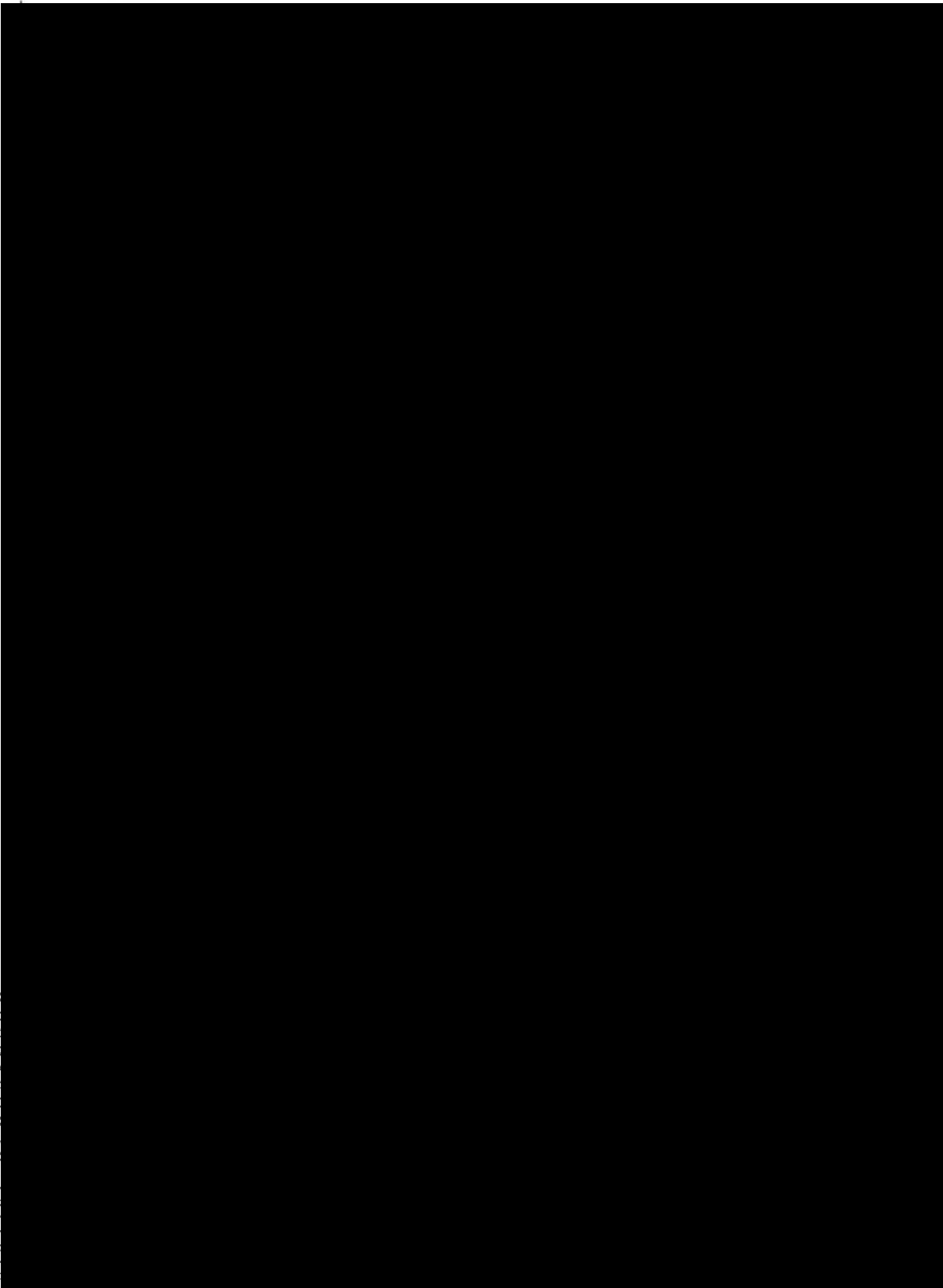
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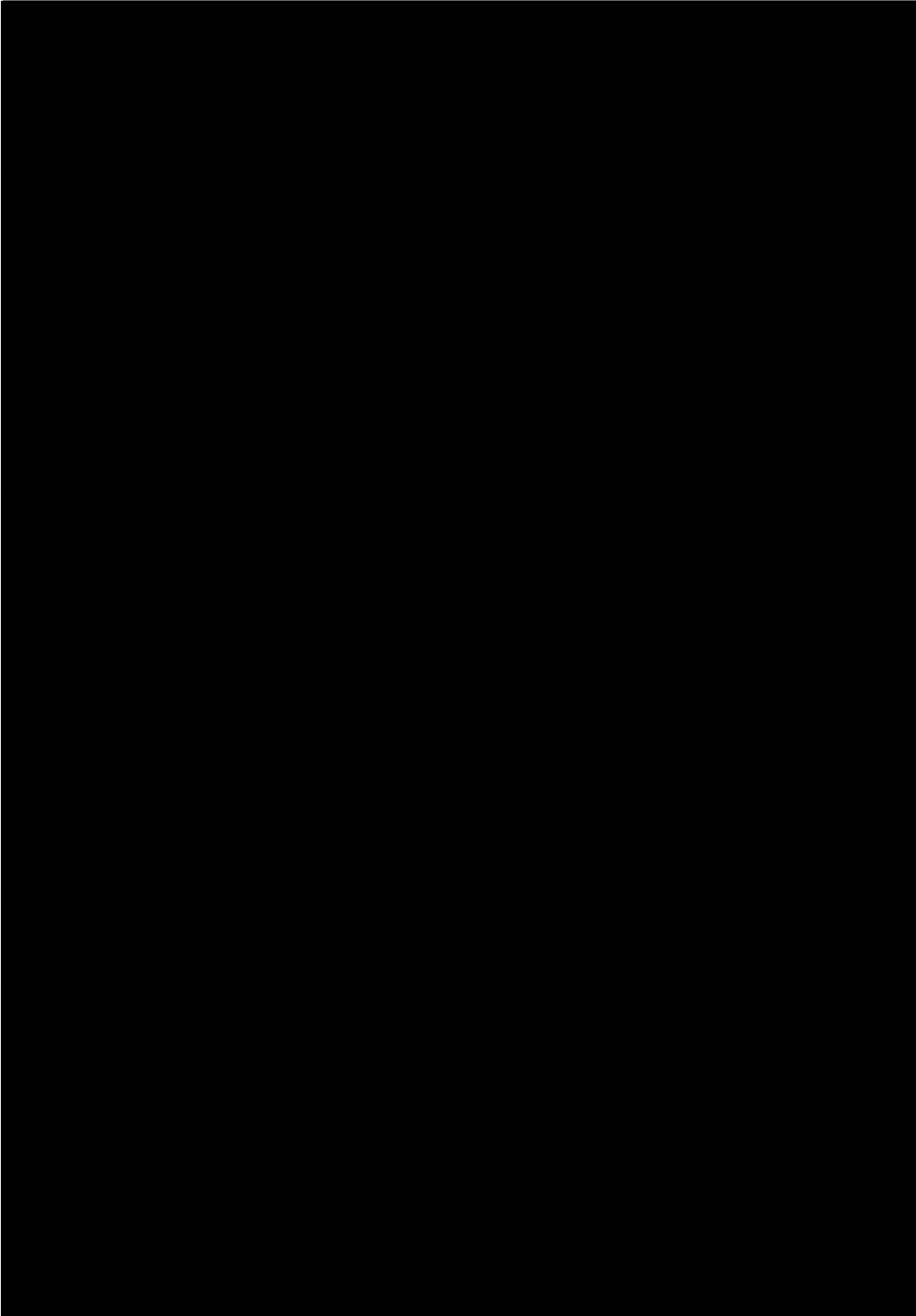
Major competitors



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## 6. Company Overview

LiPoint Inc., an enhanced mucosal drug delivery company with near-term, proprietary formulations of current systemic drug products and unique future drug delivery opportunities has several lead products within one to two years of clinical testing. The company's goal is to extend the field of intranasal, buccal and other mucosal pharmaceuticals by applying our unique proprietary formulations across a broad range of therapeutic areas to create new and differentiated products that improve safety, efficacy and convenience for patients, caregivers and health care professionals.

### 6.1 History

LiPoint was founded in 2007 to exploit the unique drug delivery expertise and proprietary delivery technology developed by Thomas Sköld and Mats Silvander at the Karolinska Research Center and The Royal School of Technology in Stockholm Sweden (Institute of Surface Chemistry). Following the successful development of the ProDerm and RestoraDerm dermatological drug delivery systems Sköld turned his hand to the development of an improved formulation platform for the delivery of drugs through mucosal tissues. The first product focus is in nasal drug delivery; however the technology lends itself to delivery through other mucosal membranes, including buccal, vaginal and anal routes.

### 6.2 Business Strategy

#### Drug development strategy

Maintain in-house a modest discovery and development research capability.

- ✦ Company facilities in Nortalje, Sweden are equipped with state of the art product formulation capability to enable production of small batches of LiPoint formulations for *in vitro* and animal studies, as well a small batches of OTC formulations for testing on human volunteers.

Implement a high quality, cost-effective pre-clinical development program through proven vendors managed by a small expert staff.

- ✦ Relationships with researchers at the Karolinska Research Centre, The Royal School of Technology in Stockholm Sweden (Institute of Surface Chemistry) and the State University of New York at Stony Brook ensure leading edge formulation and testing expertise are available to the Company.

Manage the early phase clinical trial programs with an in-house clinical development staff to maximize relationships and maintain flexibility

- ✦ Outsource time intensive functions such as data management and statistical analysis

Establish development and manufacturing relationships with proven chemical and pharmaceutical manufacturing organizations to produce LiPoint formulations according to GMP demands

Generate proof of principle efficacy results

- ✦ Develop a regulatory plan which minimizes regulatory challenges by exploiting 505(b)2 regulations

#### Commercialization strategy

Seek partners for commercialization of unique products in the United States and elsewhere

License formulation technology and expertise to other companies with NCEs requiring nasal drug delivery

Commercialize the drug in Europe and Japan through strategic partnerships with companies already in those markets

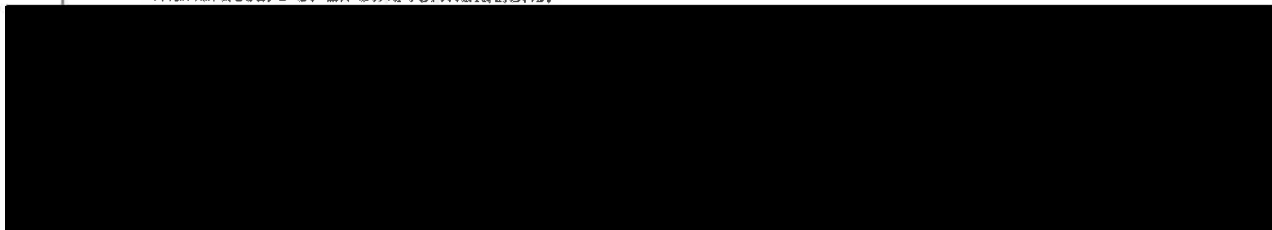
DESCRIPTIVE MEMORANDUM

Protect the commercialization rights for LiPoint's platform technology and products through a comprehensive multifaceted strategy

- ⌘ Pending patents for the use of LiPoint formulations and a broad spectrum of potential products
- ⌘ Hatch-Waxman Act provides minimum of three years of protection for new formulations of existing products
- ⌘ Potential orphan drug status for certain indications in the US and Europe extends protection to seven and 10 years of marketing exclusivity, respectively

### 6.3 Facilities

LiPoint's administrative offices are located in Tucson, Arizona. The Company also maintains a laboratory in Nortalje, Sweden which is fully equipped for the production of experimental batches of drugs for animal studies and in certain circumstances experimental human studies. In addition to the normal laboratory equipment this lab is equipped with a high pressure homogenizer, a sonicator and dispersing equipment which are essential to the successful manufacture of LiPoint formulations.



### 6.4 Manufacturing

Once product formulations have been finalized and proof-of-concept established through small-scale manufacturing in LiPoint's own facilities the company will contract with one of many potential manufacturing facilities for production of larger scale, GMP-regulated batches for clinical trials and marketing.

DESCRIPTIVE MEMORANDUM

## 7. LiPoint Product Portfolio


### 7.1 Development Milestones



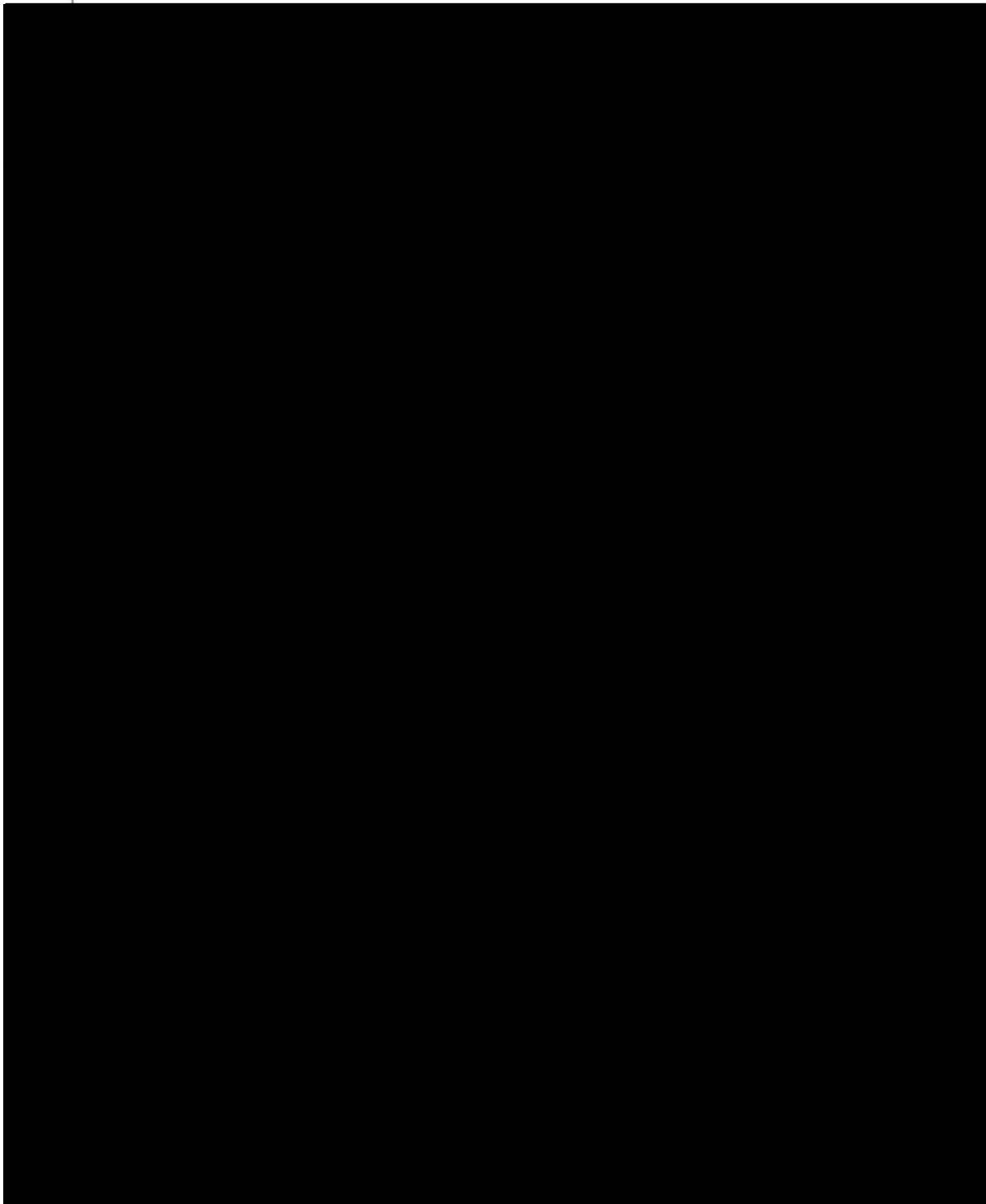
### 7.2 LiPoint

#### Background: Mechanisms of Nasal Drug Absorption

Several mechanisms have been proposed for absorption of drugs through the nasal mucosa but the following two routes are considered the most useful for the development of pharmaceutical formulations.

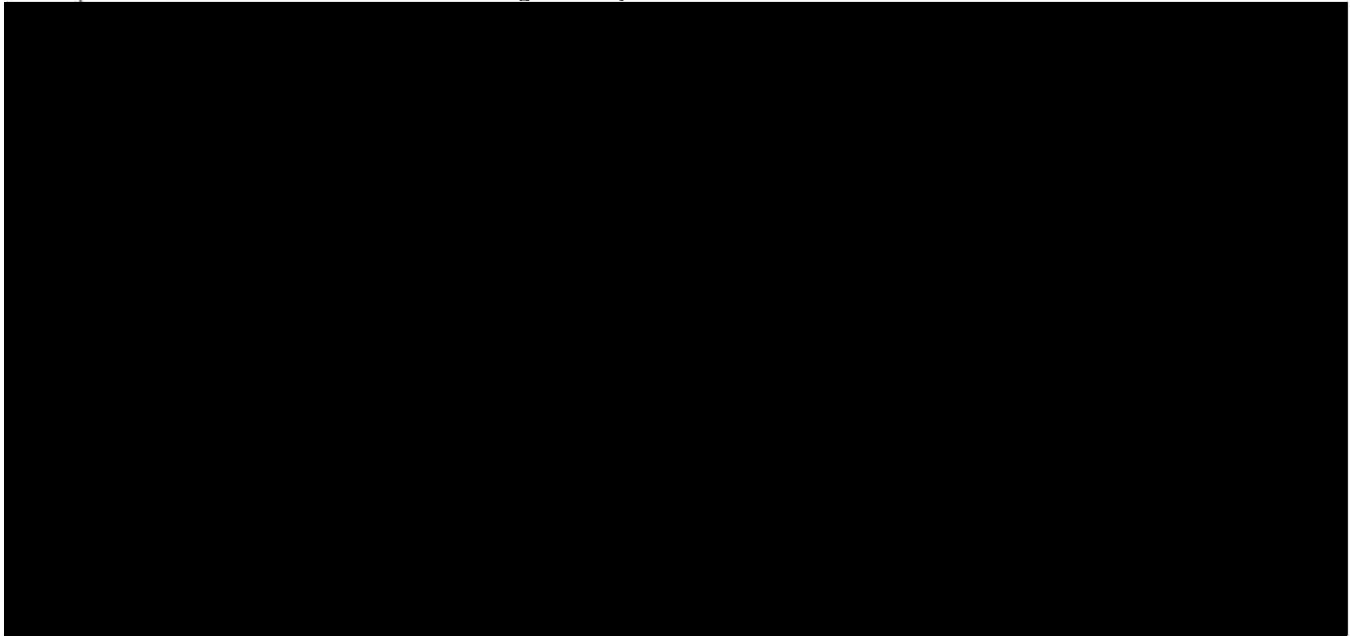






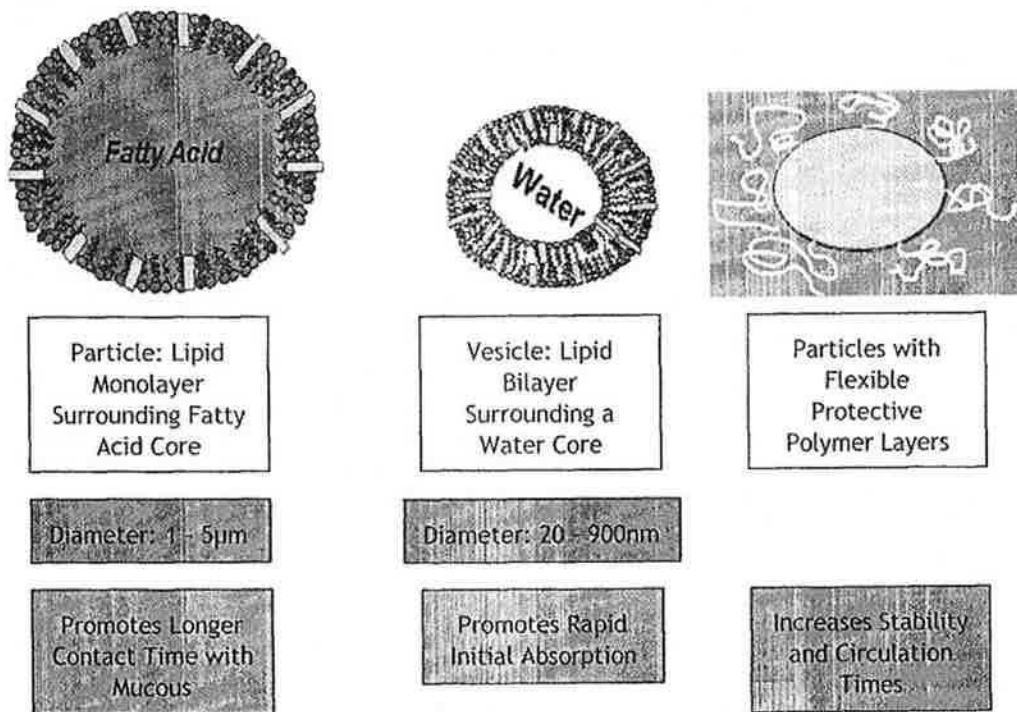
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LiPoint: Enhanced Mucosal Drug Delivery via Novel Mechanisms of Action



LiPoint Formulation Components

Exhibit 7.1



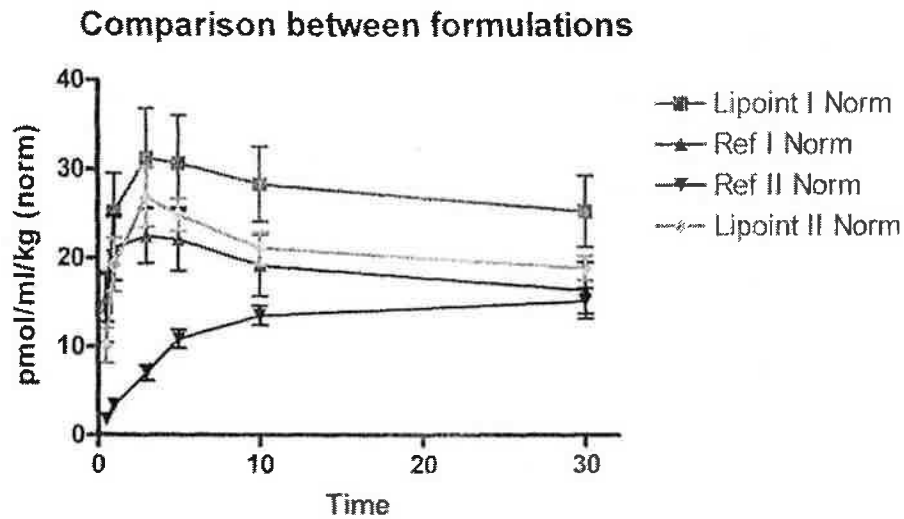
The key ingredients in the LiPoint formulations are phospholipids, cholesterol, fatty acids and polymers. These components are formulated under carefully controlled conditions to produce a defined mixture of particles and vesicles which are the primary carriers of the drug payload. The environment in which the payload resides is designed to maintain drug stability while

maximizing efficient drug delivery. As discussed later, manipulations of the formulations can



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The data were as follows:



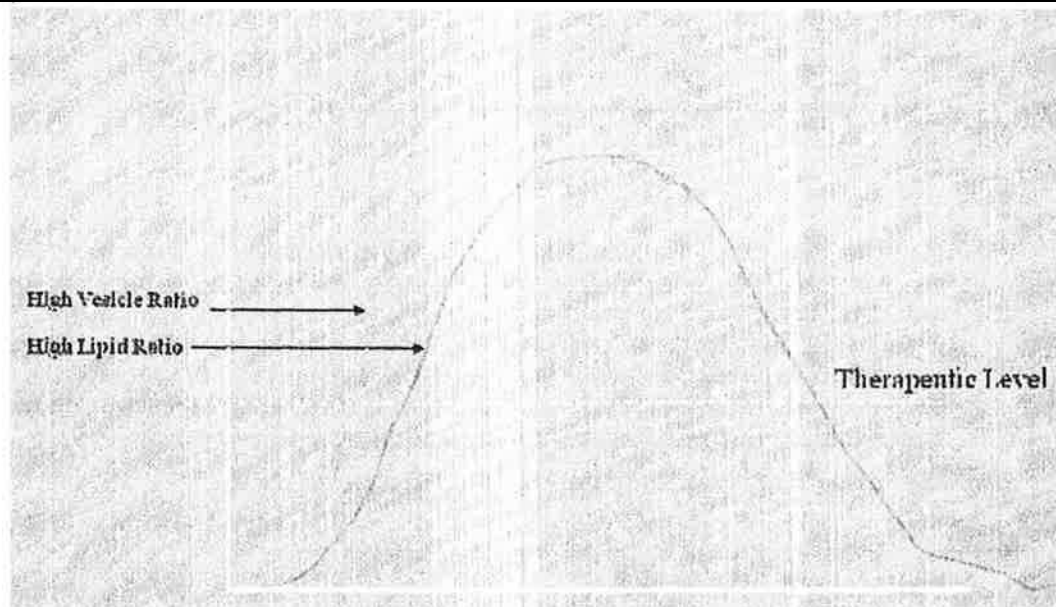
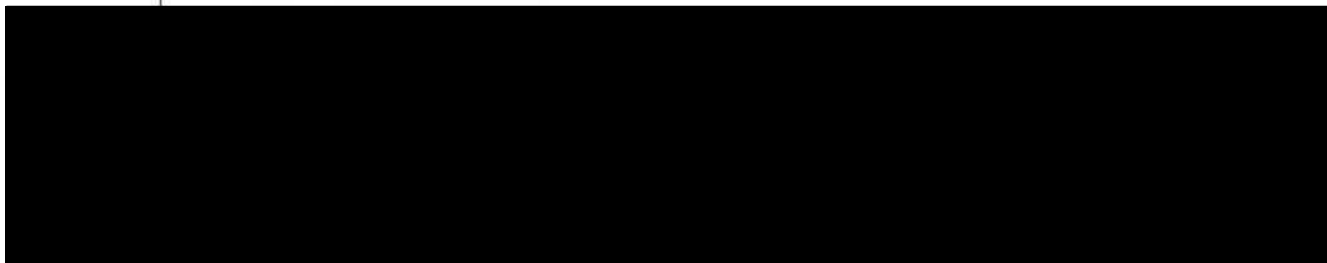
As can be seen both LiPoint formulations showed a maximum blood concentration (C<sub>max</sub>) in excess of the reference formulations, and importantly exhibited different pharmacokinetics with higher normalized total blood levels than either of the reference formulations. This experiment showed for the first time that the pharmacokinetics of the administration of testosterone could be controlled by the relative distribution of the drug between the two components of the LiPoint formulation. Not only that, but it can be concluded that the LiPoint formulations may enhance the uptake of testosterone administered nasally.

The full report of this study is available from LiPoint Inc. on request.

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subject to full NDA development, and new routes of administration without prior comparator products may also require a development program similar to that for an NCE.

### 7.3 Manufacturing

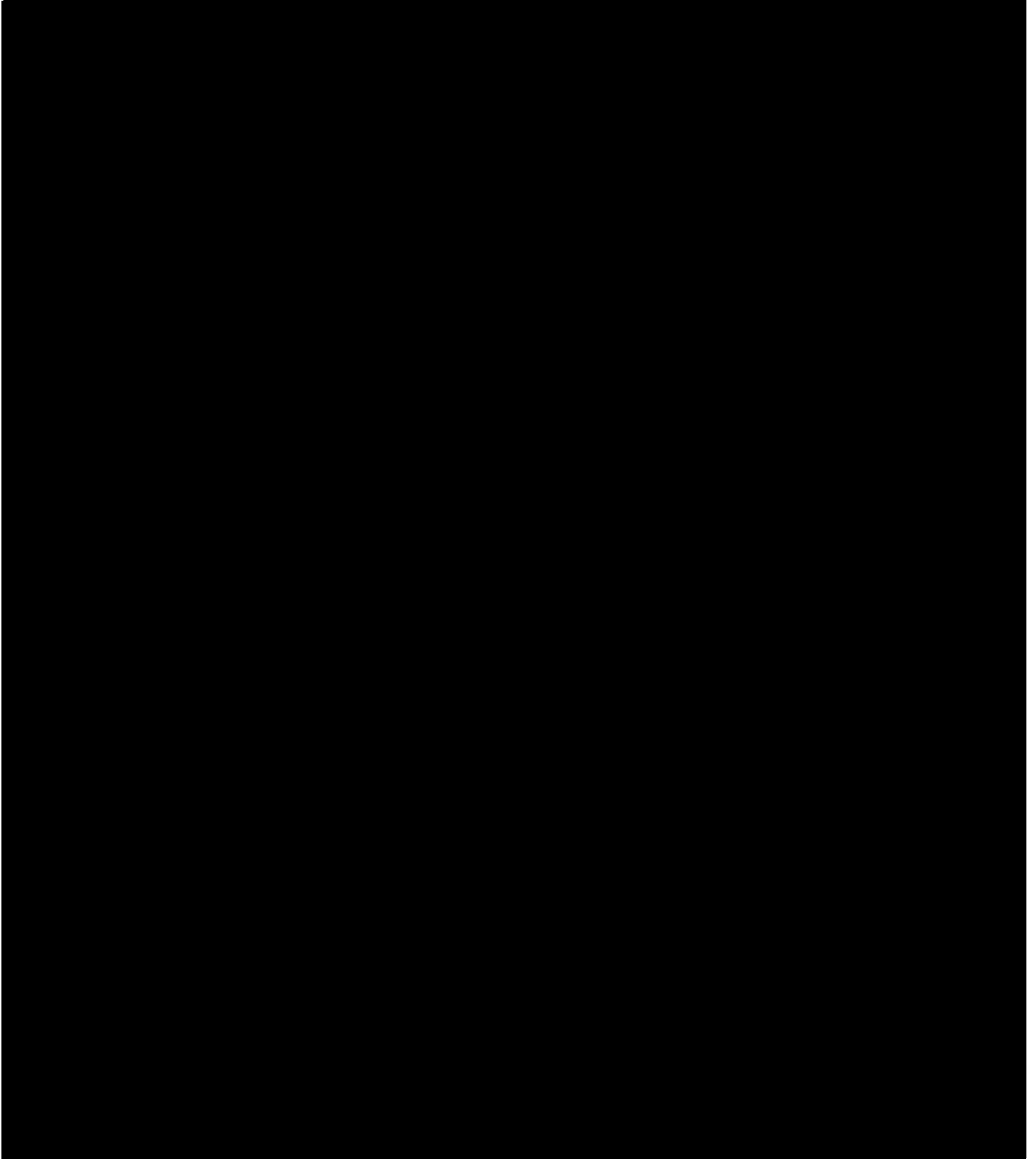


### 7.4 Proprietary rights

The LiPoint formulations are protected by filed USA and PCT patent applications. Further information will be provided on request.

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8. LiPoint Financial Projections / Use of Proceeds



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## 9. Management, Board of Directors and Medical/Scientific Advisory Board

Exhibit 9.1

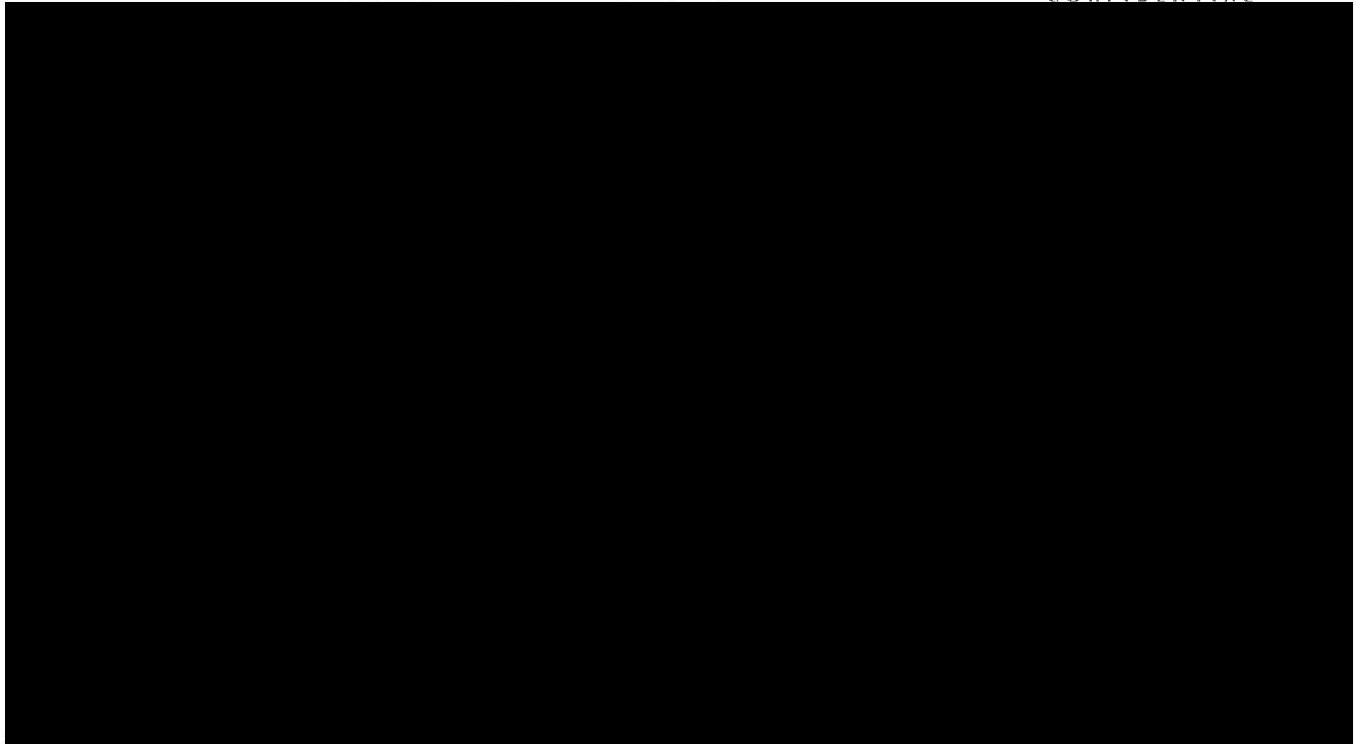
### Management and Board of Directors

Name	Title
Robert A. Ashley	Chairman, CEO & President, Co-Founder
Thomas Sköld	Executive VP, Co-Founder

**Robert A. Ashley, Chairman, CEO & President.** Prior to founding LiPoint in June, 2007, Mr. Ashley was most recently Chairman, CEO and President of AmpliMed Corporation, a clinical-stage oncology drug development company with a lead product, Amplimexon® in Phase II clinical studies. Mr. Ashley led AmpliMed through two rounds of fundraising. Prior to joining AmpliMed, Mr. Ashley was Senior Vice President of a specialty pharmaceutical company, CollaGenex Pharmaceuticals, Inc. As one of the first employees of CollaGenex, Mr. Ashley was responsible for the clinical development, FDA approval and launch of its lead drug Periostat®, and also for the development of CollaGenex's cancer drug Metastat®. He was instrumental in the progression of CollaGenex from a start-up venture to a profitable, NASDAQ-listed public company with 150 employees and sales in excess of \$50 million in 2003. Prior to CollaGenex, Mr. Ashley held positions of increasing responsibility at Bristol-Myers Squibb and Amersham International, including roles in manufacturing, research, marketing, sales and business development. He holds an MA in Biochemistry from Oxford University. Mr. Ashley is a member of the Board of Directors of IMCOR Pharmaceutical Company and Quinnova Pharmaceuticals Incorporated.

**Thomas Sköld, VP and co-founder.** Mr. Sköld has a track record as a successful entrepreneur in his native Sweden, having been engaged since 1994 in research and development at the Karolinska Research Centre and The Royal School of Technology (Institute of Surface Chemistry) in Stockholm, Sweden, where Mr. Sköld was the first private person to hold a membership. Clinical trials involving innovative products developed by Mr. Sköld have been conducted at, among others, Penn State University, University of Kentucky and University of California, San Francisco. Mr. Sköld developed the topical drug delivery platform technology Proderm, which has been incorporated in several successful dermatological products. Five new prescription products, based on Sköld's latest topical delivery platform, Restoraderm, are currently under development by CollaGenex Pharmaceuticals Inc. in the United States.

Recently Mr. Sköld has been a consultant to CollaGenex with respect to the development of the Restoraderm technology while also conducted initial development work on LiPoint, a lipid-based, multi-structured system designed for administering drugs intra-nasally, buccally and/or orally. For the last two years Mr. Sköld, together with his associate Dr. Silvander (originally from the Institute of Surface Chemistry), has been working on a full-time basis to establish proof-of-concept and develop intellectual property regarding this novel mucosal drug delivery system.

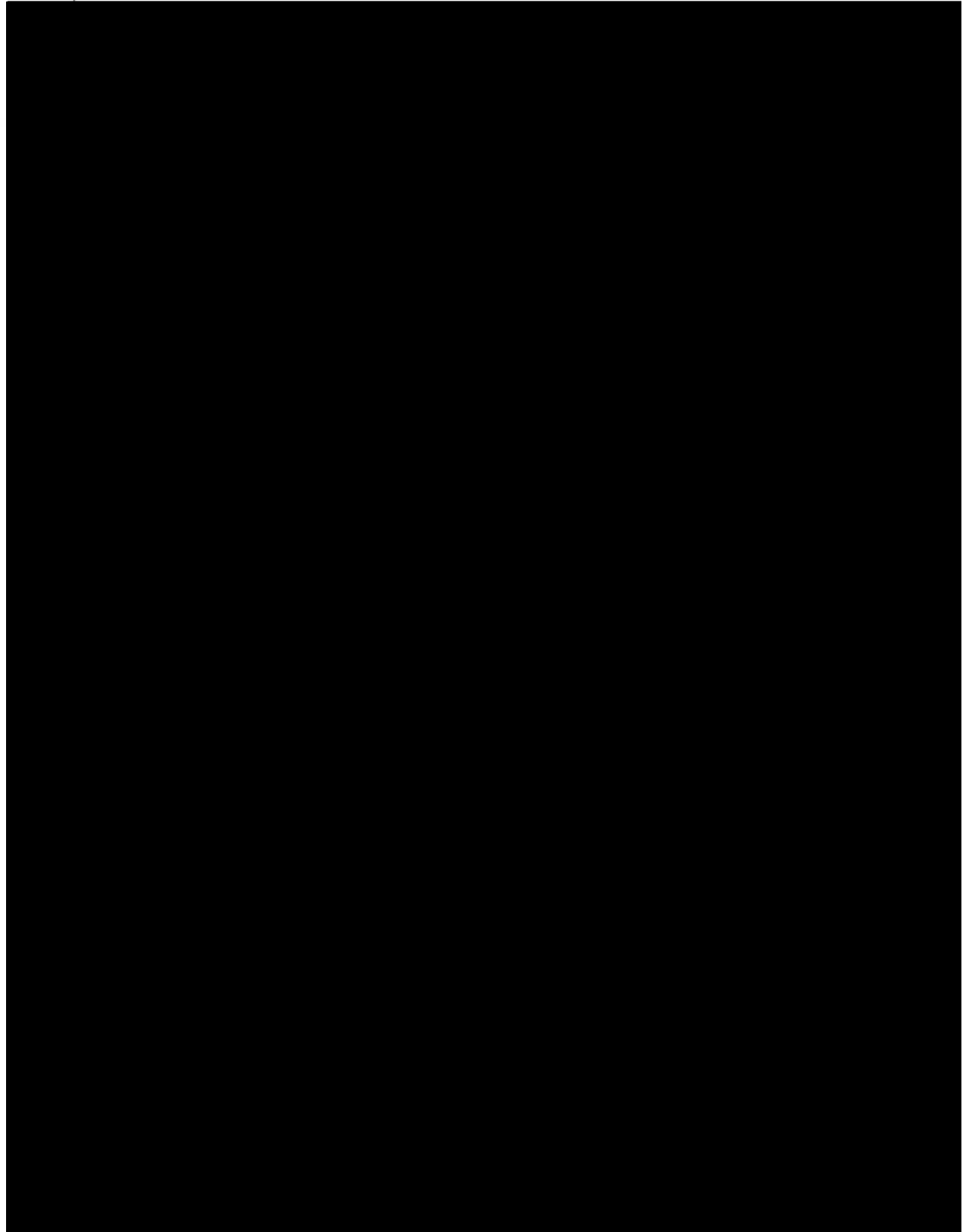


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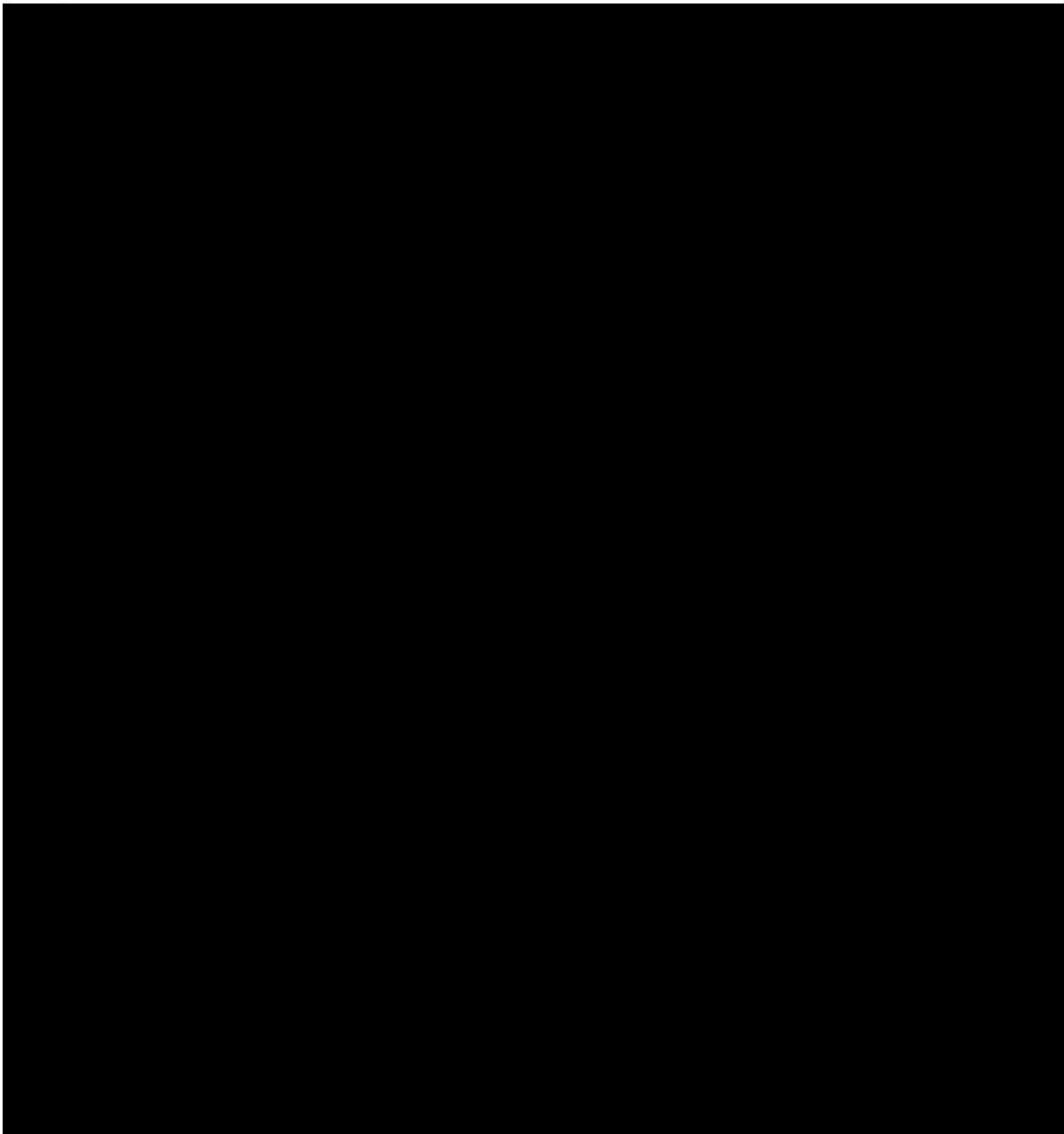


Appendix 1

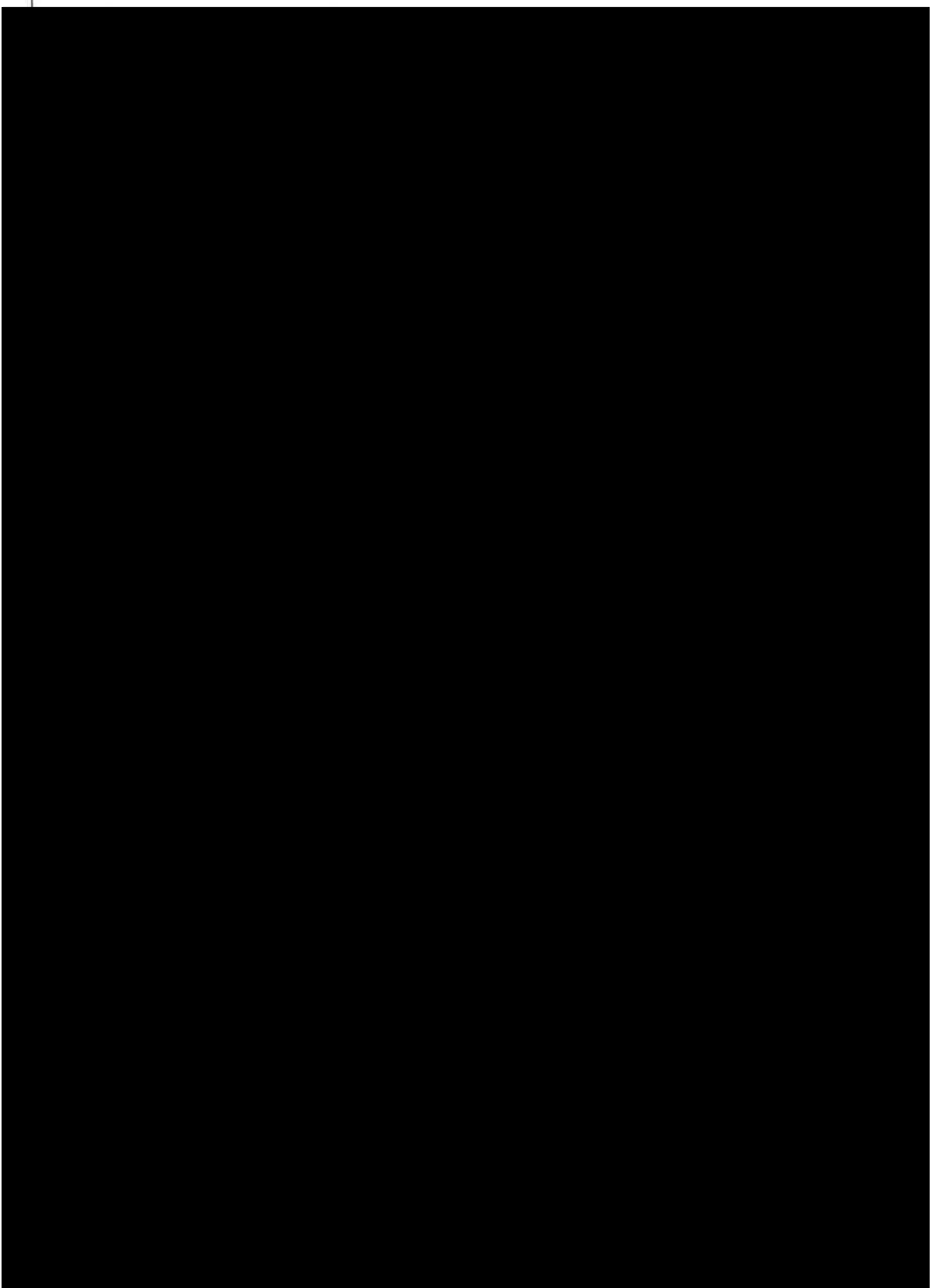
Key Companies in Rx Nasal Drug Development



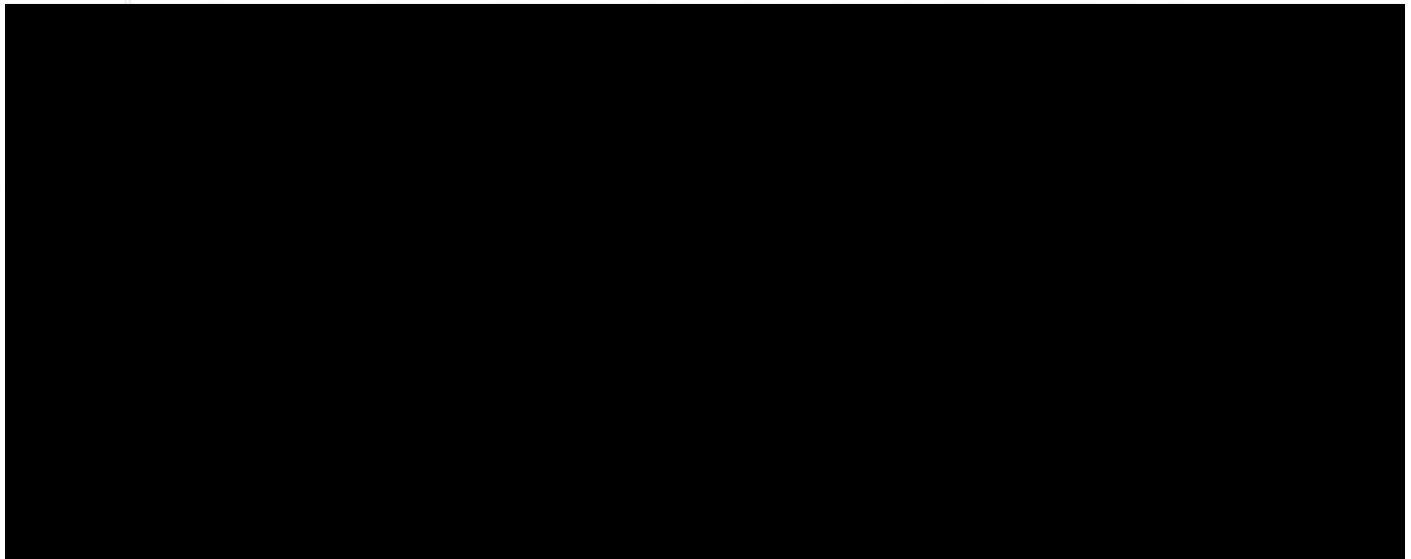
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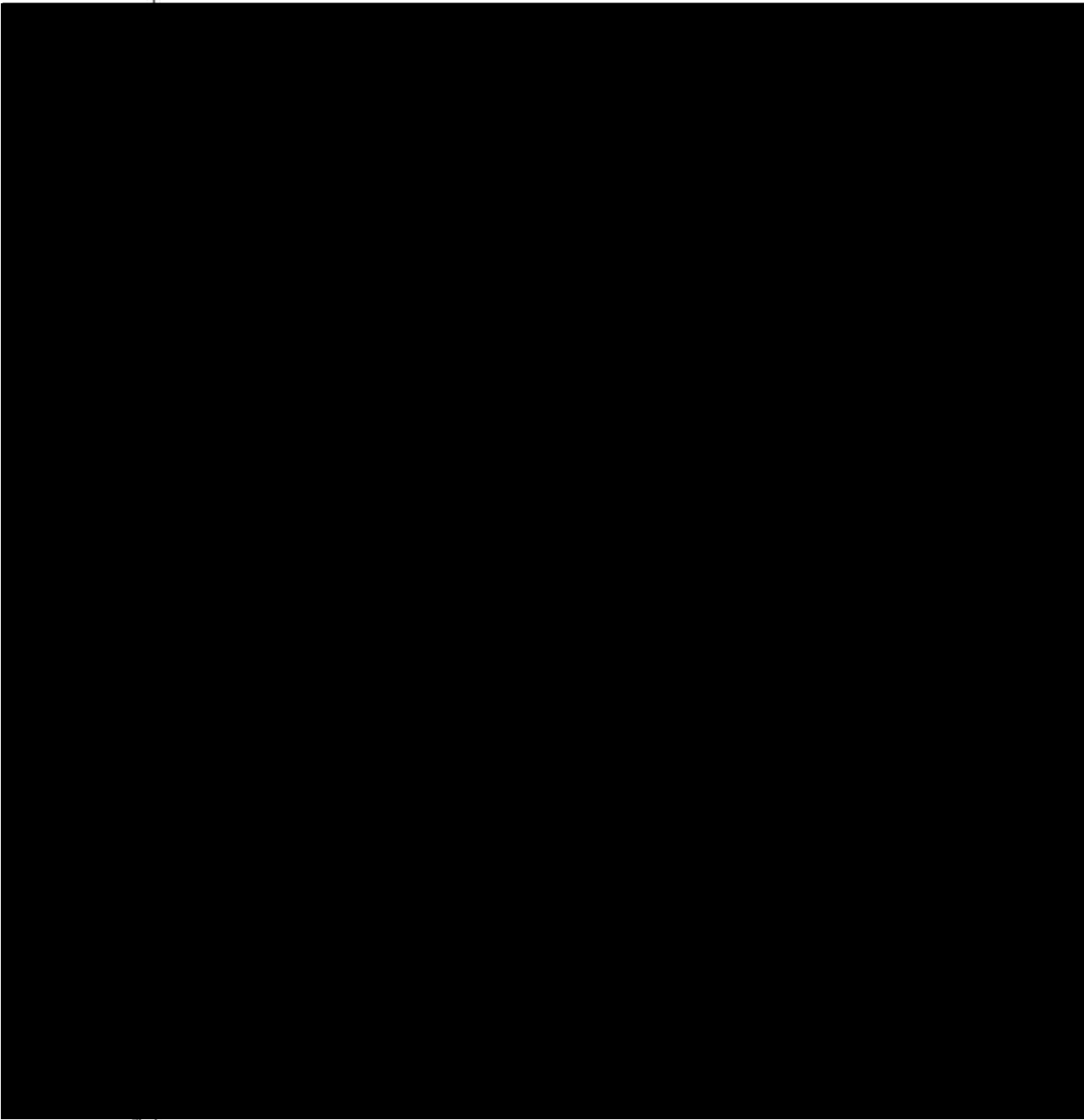
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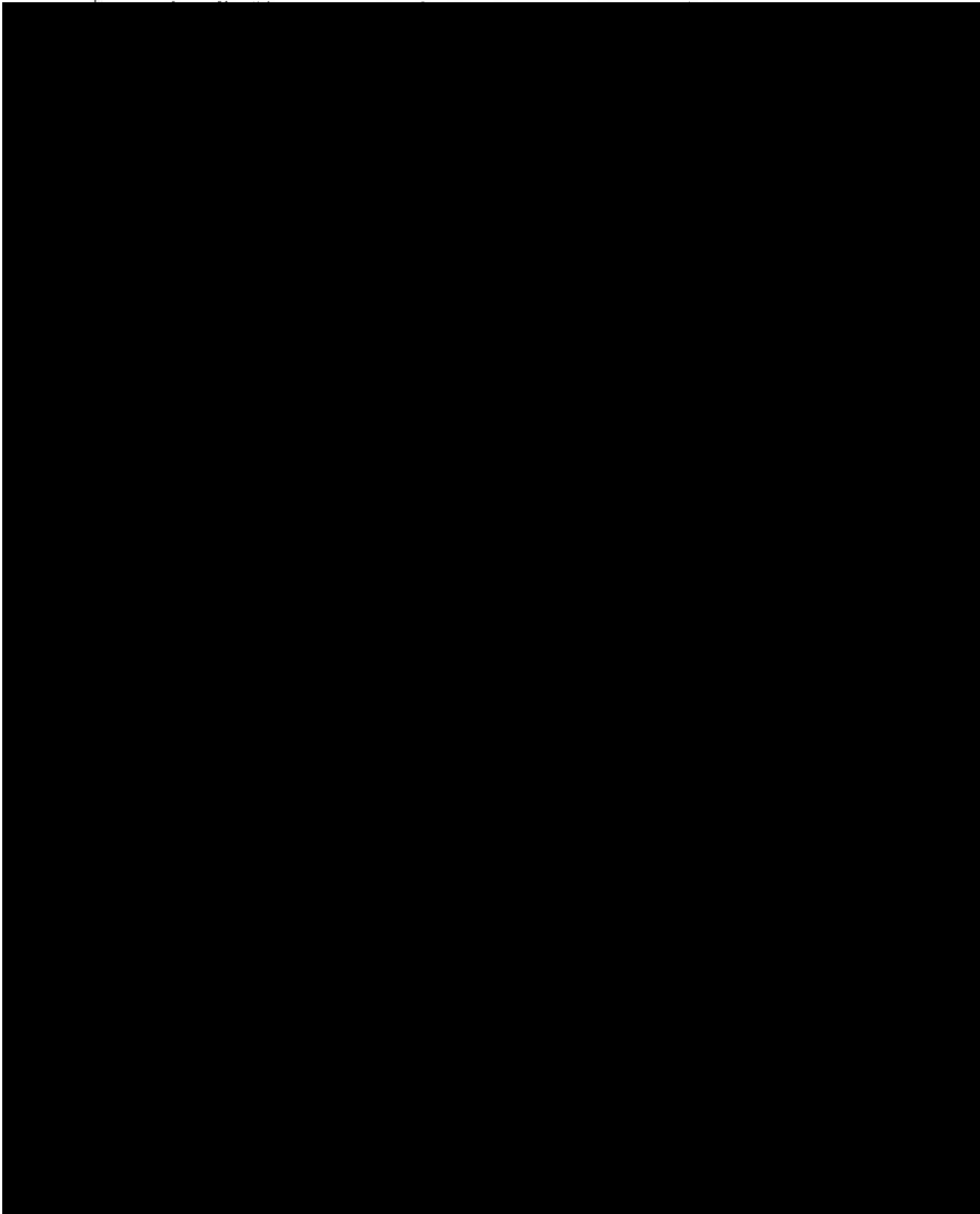
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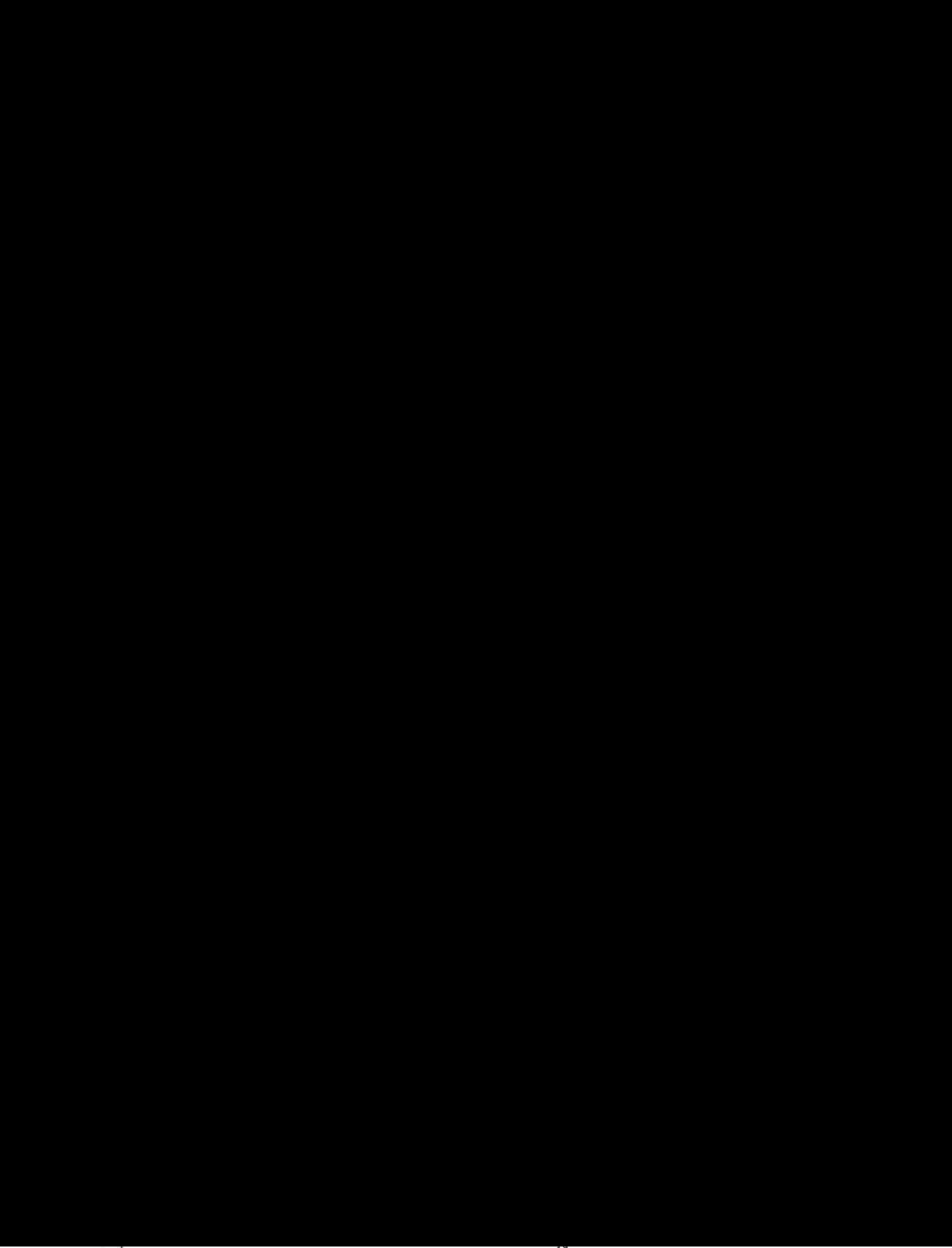


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moderate to severe post-surgical pain enrolled at 7 sites in the United

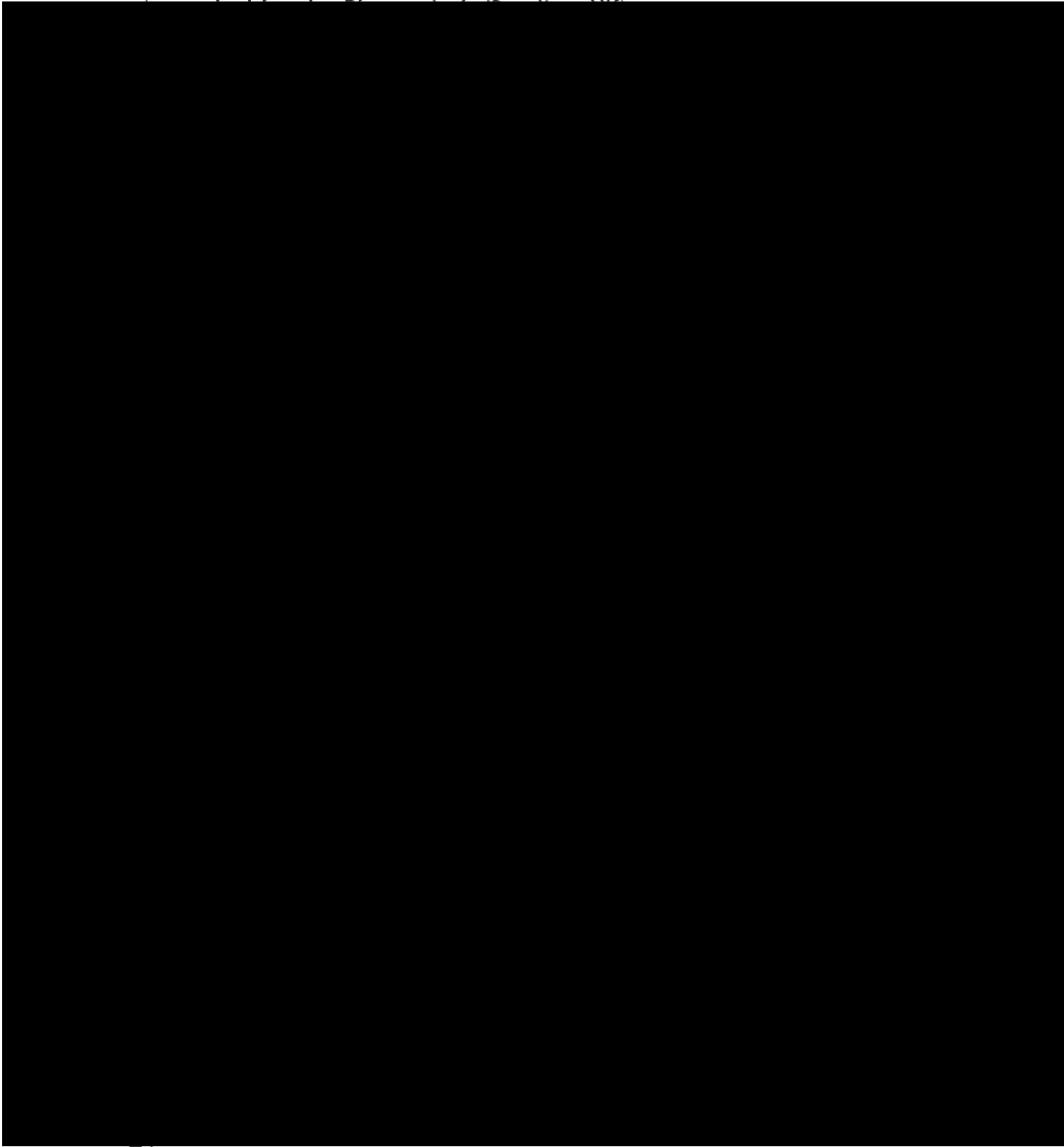


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DISCOVER MORE

## Appendix 2

## Nasal Drug Delivery Devices

There are a number of companies based around proprietary nasal drug delivery devices of one kind and another. Also the major pharmaceutical spray pump manufacturers offer to all pharma companies their specialized expertise in developing nasal sprays. Examples include:

- Kurve Technology: <http://www.kurvetech.com/devices.asp>
  - Kurve has an agreement with Schering Plough, recently extended, presumably related to the delivery of vaccines using Kurve's proprietary nasal particulate drug delivery systems
- Optinose : <http://www.optinose.no>
- Valois: <http://www.valois.com/html/pharmacie/nasale/presentationasale.asp>
- Bepak <http://www.bepak.com/site/ProductInno/nasaldevices.html>
- Becton Dickinson:  
<http://www.bd.com/pharmaceuticals/products/alternative.asp#Accuspray>
- Dey L.P.
- Wolfetory Medical <http://www.wolfetory.com/nasal.html>
- Rexam Pharma <http://www.pharmaceutical-technology.com/contractors/packaging/rexam-pharma/>

DESCRIPTIVE MEMORANDUM

### Appendix 3 Intranasal Phase I, II, and III drug studies

The table below is a quick reference to all specific intranasal Phase I, II, and III drug studies that are currently recruiting or not yet recruiting for new indications. Therefore, the table excludes completed (and past-recruiting) studies mentioned in the several company write-ups above.

The data source for the 13 individual tabled trials below is from a number of February 11, 2006 Focused Searches of [www.ClinicalTrials.gov](http://www.ClinicalTrials.gov). Study registration on this site is FDA-mandated within 21 days of trial inception.

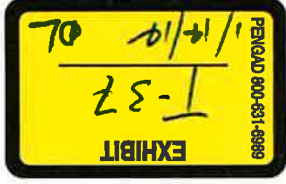
All selected trials are sorted below in ascending order by Sponsor/Indication.

SPONSOR	INDICATION	MOLECULE	PHASE & STUDY NAME (WEB LINK)
Altana	Rhinitis	Ciclesonide	Phase III: <a href="#">Safety and Tolerability of Ciclesonide Nasal Spray in Patients With Perennial Allergic Rhinitis (2-5 y)</a>
Ariston Pharma	Migraine	AST-726	Phase II: <a href="#">Efficacy and Safety Clinical Trial of Intranasal AST-726 for the Prevention of Migraine</a>
Finland Universities	Diabetes 1	insulin	Phase III: <a href="#">Intranasal Insulin for Prevention of Type 1 Diabetes</a>
GlaxoSK	Rhinitis	GW685698X (Allermist)	Phase III: <a href="#">Once-Daily Investigational Nasal Spray In Adults And Adolescents With Perennial Allergic Rhinitis (PAR)</a>
GlaxoSK	Rhinitis	GW685698X (Allermist)	Phase III: <a href="#">Seasonal Allergic Rhinitis In Pediatric Subjects</a>
GlaxoSK	Rhinitis	GW685698X (Allermist)	Phase III: <a href="#">Long Term Safety Of GW685698X Via Nasal Biopsy</a>
MedImmune	Cancer	FluMist	Phase I: <a href="#">Safety Study to Evaluate FluMist in Immunocompromised Children</a>
Merck	Obesity	MK0364 (Nastech PYY3-36?)	Phase II: <a href="#">A Two Year Safety and Efficacy Study in Obese Patients</a>
Rigel Pharma	Rhinitis	R926112	Phase II: <a href="#">7 Day Study of Mast Cell Inhibitor, R926112, in Patients With Symptomatic Seasonal Allergic Rhinitis</a>
Roxro Pharma	Pain Post-operative	Ketorolac	Phase III: <a href="#">Safety and Efficacy of Multiple Doses of Intranasal Ketorolac in Postoperative Pain Following Major Abdominal Surgery</a>
Sanofi-Aventis	Rhinitis	Nasacort AQ	Phase III: <a href="#">An Efficacy and Safety Evaluation of Nasacort AQ in Children Ages 2-5 Years With Perennial Allergic Rhinitis</a>
U.S. Army	Diarrhea	rFla-MBP	Phase I: <a href="#">Intranasal Recombinant Flagellin Subunit Campylobacter Vaccine (rFla-MBP) Dose-Ranging Study</a>
U.S. Army	Diarrhea	Invaplex 50	Phase I: <a href="#">Invaplex 50 Vaccine Dose-Ranging</a>

DESCRIPTIVE MEMORANDUM

Exhibit T 37  
Skold v. Galderma  
Cancellation No. 92052897

Public



~~TRADE SECRET/COMMERCIALY SENSITIVE~~

From: [REDACTED]  
 Sent: den 13 januari 2008 03:41  
 To: Thomas Sköld  
 Subject: RE: Derm delivery system

<b>Public</b>
---------------

Dear Thomas,

No need to come to San Antonio just for me. How about the next dermatology meeting you plan to attend? You mentioned the Caribbean derm, but I am guessing you do not live in the US. Where are you located? With that understanding, we may be able to meet at a time that is more compatible for the both of us.

Thanks,

-----Original Message-----

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
 Sent: Saturday, January 12, 2008 3:33 AM  
 To: Willis, Joe [NEUUS]  
 Cc: 'Physicians Skin Care'  
 Subject: SV: Derm delivery system

Exhibit	T 38
Skold v. Galderma	
Cancellation No. 92052897	

Dear [REDACTED]

I didn't plan on going but if there is a sincere interest in discussing with me, I will be there for sure. In regards to Peter's IP there are similarities but no conflict. The ratio between the lipids and the fact that you don't need a surfactant in my system makes them different. However the major difference is that my system includes solid lipid particles surrounded by a monolayer (phospholipids, ceramides and cholesterol), vesicles with a bilayer (phospholipids, ceramides, fatty acid and cholesterol) and finally gas spheres with a monolayer (phospholipids, ceramides, fatty acid and cholesterol). These three structures diffuse them self through the stratum corneum differently. With a better understanding of that fact one can tailor make the final product in a way that so far has been impossible.

I was fortune enough to be working with Professor Bo Forslind (Karolinska Institute) for a number of years before he deceased. Bo pioneered in the early 1970 conducting research on the stratum corneum lipids. Later on Peter did some work with Bo and thereafter stayed in this field of research.

What is kind of interesting is that on September 11<sup>th</sup> 2001 I was scheduled to present my early findings of my development efforts for your people in your New Jersey office. On my way in to your office the first aircraft hit one of the towers and the presentation got cancelled (even though I stayed watching it all on TV in your cafeteria for the entire day). Since I was stuck in the US for about a week I spent time with a friend of mine that became the VP of Dermatology for Collagenex and that is why it ended up with them and not Ortho (at that time at least). In terms of Rx developments there are some 8 formulations that have past 6 months accelerated stability. Due to, among other things, lack of resources no NDA has been filed to date which for me have been extremely frustrating. I would argue that some of these could potentially be very interesting products but there are also other opportunities out there that should be looked at as well.

If possible I would like us to have a more confidential discussion in San Antonio, so that you get all the important information you need to enable you to understand if this is something that Ortho would benefit from, which I'm fairly confident that you would. Let me know what you need to take us to this level of interest.

With kind regards,  
 Thomas

Från: [REDACTED]  
 Skickat: den 11 januari 2008 18:30  
 Till: Thomas Sköld



[REDACTED] SECRET/COMMERCIAL SENSITIVE

**Amne:** RE: Derm delivery system

Dear Thomas,

Thanks for the introduction and information. Perhaps we can meet at the American Academy of Dermatology and have a non-confidential conversation? I appreciate what you have shared, one point of confusion – I am under the impression that Peter Elias, holds IP as it relates to the composition you describe, is there a conflict? Separately, I would like to get a better understanding of the plans for development from an Rx perspective.

Would you be attending the AAD in San Antonio and have availability?

Best,  
[REDACTED]

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]

**Sent:** Tuesday, January 08, 2008 8:44 AM

**To:** [REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]

Let me briefly introduce my self. My name is Thomas Sköld from Stockholm Sweden and I have been working on lipid drug delivery systems since 1994. The first 6 years as the CEO of a small (20 people) drug delivery company. We were pioneers in the foam delivery business and our company got sold some years ago. In 2002 I filed a provisional patent application on a new invention of mine based on phospholipids, ceramides, cholesterol and fatty acid in a three structure matrix system. The system can hold both water soluble actives as well as fat soluble actives and can be formulated as a lotion, cream, ointment or foam product. Very flexible and very delivery efficient! In 2002 I out licensed the technology to a US Company where one of my friends was the VP of dermatology. In 2004/2005 they had a management shift and our relationship started to fall apart due to, among other things, lack of effort in the clinical arena from the new management. I'm now re-claiming the technology after some 15 formulations in total. None of the Rx products however have been in clinical trails which is why I had to make this decision. The IP should get issued some time later on this year if everything goes as planed and I feel therefore that it is important that I find a new holder of the technology as quickly as possible. The last two years I have been focusing on transmucosal delivery looking mostly at intra nasal delivery (together with people from Suny Stony Brook on Long Island) but I see now that I have go back in to dermatology. At least for a while until this situation is fully resolved (I never really left). I'm right now on my way to St Thomas where the Carib Derm meeting will be held next week. During the time I will be in the Caribbean I'm reachable through both e-mails and cell phone (+46 70 6600040).

Let me know if you would be interested to understand more about this opportunity.

With kind regards,  
Thomas Skold

---

**Från:** [REDACTED]

**Skickat:** den 8 januari 2008 16:23

**Till:** [REDACTED] Thomas Sköld

**Ämne:** Re:

[REDACTED] and Thomas

I discussed with both of you and with your permission ,I am sending this email to both of you as an introduction

Good Luck  
[REDACTED]

Original Message



TRADE SECRET/COMMERCIALLY SENSITIVE

Från: [REDACTED]  
Skickat: den 8 januari 2008 01:24  
Till: Thomas Sköld  
Ämne: Re:

[REDACTED] did not give any information except that there is a vehicle for sale that is it so I will send another e mail to both of you for introductions

leon

----- Original Message -----

From: Thomas Sköld  
To: [REDACTED]

Sent: Monday, January 07, 2008 5:20 PM  
Subject: SV:

And happy New Year to you too!

I would love to talk to them and e-mail is a good start. I would appreciate if you could give me some feed back on the person in question and what kind of info you have given them. Anne and I have started packing for St Thomas and we are leaving already on Saturday (I will of course bring my computer) for St Martin.

All the best,  
Thomas

Från: [REDACTED]  
Skickat: den 7 januari 2008 20:03  
Till: Thomas Sköld  
Ämne:

Happy New Year [REDACTED]

I found somebody [REDACTED] that may be interested  
do you want to communicate with him via email

TRADE SECRET/COMMERCIALY SENSIT

-----Original Message-----

From: [REDACTED]  
 [REDACTED] 25 januari 2008 09:38  
 To: thomas-skold@telia.com  
 Subject: RE: RE: RE: RE: RE: RE: Drug delivery platform

**Public**

ok , my flight is booked as discussed  
 thanks [REDACTED]

Exhibit T 39  
 Skold v. Galderma  
 Cancellation No. 92052897

-----Original Message-----

From: thomas-skold@telia.com [mailto:thomas-skold@telia.com]  
 Sent: Monday, 21 January 2008 22:37  
 To: [REDACTED]  
 [REDACTED] RE: RE: Drug delivery platform

Hi Herwig, Feb 18 is perfect for me! Let me know when you are coming in. Regards, Thomas

----- Original-meddelande -----

Fr n: [REDACTED]  
 Skickat: 21 jan 2008 12:18 +01:00  
 Till: Thomas Sk ld <thomas-skold@telia.com>  
 mne: RE: RE: RE: RE: RE: Drug delivery platform

I could come and visit on Monday Febr 18.  
 Is that ok ?  
 HJ

-----Original Message-----

From: Thomas Sk ld [mailto:thomas-skold@telia.com]  
 Sent: Saturday, 19 January 2008 20:03  
 To: [REDACTED]  
 Subject: Sv: RE: RE: RE: RE: Drug delivery platform

And I thought I was the only one working on a Saturday!  
 We are coming back from the Caribbean on Monday the 28th which probably means, after over two weeks away, a few hectic days but either in the end of that week or any day in the first week of Feb starting with Feb 4th. Let me know what works best for you.

I will then pick you up at the airport and we go back to our place for our meeting. Then I will see to it that you get back to the airport in time for your flight.

All the best,  
 Thomas

-----Ursprungligt meddelande-----

Fr n: HJANSSE4@ianbe.jnj.com  
 Datum: 19-01-2008 19:23  
 Till: "Thomas Sk ld" <thomas-skold@telia.com>  
 rende: RE: RE: RE: RE: Drug delivery platform

I could fly to Stockholm .  
 What are good dates for you ?  
 [REDACTED]



TRADE SECRET/COMMERCIALY SENSITIVE

-----Original Message-----

From: Thomas Sk ld [mailto:thomas-skold@telia.com]  
Sent: Saturday, 19 January 2008 18:14  
To: [REDACTED]  
Subject: Sv: RE: RE: RE: Drug delivery platform

Great [REDACTED]

Not that far away then. So how would you like us to do this. Should I come down and visit you or should you come up and visit me?

Regards,  
Thomas

-----Ursprungligt meddelande-----

[REDACTED]  
Datum: 18-01-2008 23:36  
Till: "Thomas Sk ld" <thomas-skold@telia.com>  
För: RE: RE: RE: Drug delivery platform

In Belgium

-----Original Message-----

From: Thomas Sk ld [mailto:thomas-skold@telia.com]  
Sent: Friday, 18 January 2008 22:10  
To: [REDACTED]  
Subject: Sv: RE: RE: Drug delivery platform

Hi [REDACTED]

We could always meet up in Sweden which would mean that you also would get to see the equipment used to manufacture the vehicle. That would give you a better understanding on how the structures are produced.

I'm

45 minutes from Stockholm airport so you could if you would like go in and out the same day.

Where are you based?

Regards,  
Thomas

-----Ursprungligt meddelande-----

[REDACTED]  
Datum: 18-01-2008 15:58  
Till: "Thomas Sk ld" <thomas-skold@telia.com>, [REDACTED]

[REDACTED]  
För: RE: RE: Drug delivery platform

Thomas , where could we meet ?  
Herwig

-----Original Message-----

From: Thomas Sk ld [mailto:thomas-skold@telia.com]  
Sent: Friday, 18 January 2008 15:47  
[REDACTED]

Subject: Sv: RE: Drug delivery platform

TRADE SECRET/COMMERCIALLY SENSITIVE

All the best,  
Thomas

-----Ursprungligt meddelande-----

Datum: 17-01-2008 19:47

Till: "Thomas Skold" <thomas-skold@telia.com>, [REDACTED]

Ämne: RE: Drug delivery platform

Dear Thomas,

Our Business Development Leader also lives in Europe and perhaps it would be a good place to start if you met with him. I will copy [REDACTED] [REDACTED] by way of introduction and let you two connect. [REDACTED] I will forward some of Thomas' and I previous communication so you have some background.

Thanks,  
[REDACTED]

-----Original Message-----

From: Thomas Skold [mailto:thomas-skold@telia.com]

Sent: Tuesday, January 15, 2008 1:58 PM

Subject: Drug delivery platform

Dear [REDACTED]

You are right I'm on St Thomas right now for the meeting. After the meeting we are going over to Anguilla

Trade Secret/Commercially Sensitive

Public

Från: Thomas Sköld [mailto:thomas-skold@telia.com]

Skickat: den 3 mars 2010 11:54

Till: [REDACTED]; [REDACTED]

Ämne: [REDACTED] and others

Gentlemen,

Enclosed please find the meeting minutes from the Pre-IND together with the development report at the time. It should give a pretty good feel for what will be required.

Olux is the Connetics ethanol foam which at least had revenues in excess of \$100 M.

Other active compounds we have looked at and conducted stability studies on are;

[REDACTED]

[REDACTED] (b)

[REDACTED]

Exhibit T 40  
Skold v. Galderma  
Cancellation No. 92052897

All the best,  
Thomas



GROUND ZERO PHARMACEUTICALS, INC.

# FDA MEETING REPORT

## DRAFT 041019

<b>Sponsor</b> CollaGenex Pharmaceuticals	<b>Date and Time</b> October 18, 2004 at 10:30 AM
<b>Sponsor Representatives</b> Chris Powala John McPartland Klaus Theobald	<b>FDA Representatives from ODE-5</b> Ginny Giroux, Project Manager Ramesh Sood, Chemistry Technical Lead Kathleen Frilisch, Biostatistics Paul Brown, Pharmacology/Toxicology Supervisor Jill Lindstrom, Medical Reviewer
<b>GZP Representatives</b> Evan Siegel Chaline Brown	Mat Soukup, Biostatistic Don O'Hare, Sp Assistant to the Director of OGD R. Banze????, TL, OCPB
<b>Special Consultants</b> Mark Bradshaw, Statistics James Leyden, Prof Dermatology	Wayne Mitchell, Regulatory Counsel Stanka Kukich, Deputy Director Marriam Luke, Clinical Team Lead, Dermatology Shaw Chen, Associate Director, ODE-5 Jonca Bull, Director, ODE-5
<b>Purpose:</b> Pre-IND meeting for COL-109 (PIND#69,848) with FDA to review program and answer Agency questions	

### SUMMARY:

CollaGenex submitted a meeting request for the Pre-IND meeting on September 15, 2004. On October 15, 2004, the FDA provided CollaGenex (CGP) with an 11-page fax of the draft reviewer comments on the package, to be discussed during the meeting. The meeting began with brief introductions, followed by targeted discussions of the specific FDA issues for which CollaGenex desired additional discussion, lead by Chris Powala. The overall tenor of the meeting was cordial, and the Agency was clearly interested in providing helpful guidance for the Sponsor to navigate this program through the changes in the Agency's requirements, due to its experience in reviewing multiple programs and reviewing changes in science since the Olux approval. In this meeting report, the FDA comments are identified by line number, followed by the discussion at the in-person meeting.

LINE # IN FDA PACKAGE	DISCUSSION
#24-84	CGP stated that it was their intent to address each of the FDA's comments regarding CMC in the IND.

#126-140	<p><i>CGP:</i> Please clarify these paragraphs.</p> <p><i>FDA:</i> In submitting a 505(b)(2) using Olux as the RLD, the clinical trials performed can provide a clinical bridge, allowing CGP to use the preclinical data in the Olux NDA to support the safety of clobetasol. However, this cannot support the safety of the vehicle, which must be supported directly by non-clinical studies. In the case that a 505(b)(1) is desired (and there is not a clinical bridge with Olux established), CGP would have to either conduct the necessary preclinical studies, or find published reports to support each requirement of the non-clinical program, which is often not possible.</p>
#152-154	<p><i>CGP:</i> Please clarify the request for the PK studies. As stated in the Olux package, the systemic levels of clobetasol following topical exposure are below the limit of quantification by available assays. Furthermore, we understand that the HPA Axis study is to be conducted to evaluate the systemic exposure to clobetasol.</p> <p><i>FDA:</i> We can establish that if the HPA Axis is suppressed, then the drug was absorbed, but if the HPA Axis is not suppressed, then it is not necessarily true that the drug is not absorbed. However, if a compelling case is presented by the Sponsor in the IND as to why the PK testing is not likely to provide useful information, the Agency may waive this requirement.</p>
#162	<p><i>CGP:</i> The vitamin D precursor hydroxycholecalciferol is included in this formulation as an anti-oxidant, at a concentration of 0.0015%, which is too low to contribute to clinical efficacy.</p> <p><i>FDA:</i> Please provide evidence of hydroxycholecalciferol's anti-oxidant role in the formulation. It will be necessary to demonstrate that it is not active, as there are literature reports of the efficacy of hydroxycholecalciferol in psoriasis. Furthermore, if it is necessary to the formulation as an excipient, the concentration of hydroxycholecalciferol should be included in the formulation testing specifications so that it can be quantified.</p>
#165-166	<p><i>CGP:</i> No components in the drug product are cutaneous penetration-enhancers. Rather, they are lipids for cosmetic elegance. [At this point, CP presented a canister of the Restoraderm foam (vehicle only), which was tested by several FDA Reviewers. The Deputy Division Director asked to keep the canister, to use as hand cream.]</p> <p><i>FDA:</i> Asked if the foam is thermolabile, and required body heat to melt, or if it would melt if the foam were dispensed and e.g., left to sit on the table. CGP stated that the foam would not melt, but would evaporate over time.</p>
#168-172	<p>CGP clarified that the product would not be labeled for use on the scalp. The FDA's comments on the indication would be considered, and the indication desired would be clearly specified in the IND.</p>
#205-208	<p><i>CGP:</i> The eligibility criteria regarding contraception for male subjects were not based on a signal for male teratogenesis, but rather were taken from the Olux clinical development program. CGP stated that this could be removed from the protocols.</p> <p><i>FDA:</i> Agreed that this criterion should be removed, to make the subjects in the pivotal studies as similar to the target population for the marketed drug as possible. Phase 3 studies should replicate "real world" use.</p>

#214-226	<p><i>CGP:</i> The Sponsor proposes that a meta-analysis of the placebo subjects in the proposed clinical development plan be used to help fulfill the requirement for contact sensitization evaluation in 200 placebo subjects, in combination with a guinea pig sensitization test.</p> <p><i>FDA:</i> Animal data cannot substitute for human data, and the placebo subjects are not tested in a way to support the specific requirements of the contact sensitivity protocol as required by the Division.</p> <p><i>CGP:</i> Dr. Leyden asserted that the 200-subject contact sensitization protocol required by the Agency was not very predictive of an allergic response, as an allergen will only cause a reaction in the presence of at least low-grade inflammation. He argued that the current scientific evidence supported a 25 subject SLS study as more useful, as the SLS causes mild inflammation which stimulates an IL-1 and TNF-alpha response; this then results in Langerhans cell migration and allows for a possible allergic response to be manifested.</p> <p><i>FDA:</i> Any study done for contact sensitization would have to be validated and accepted by the Division, and the Division's request for standard 200-subject contact sensitization data is the current supportive study expected by the Agency for topical products. The Agency believes that 200 subjects are required in any case, to allow for enrollment of subjects with "sensitive genotypes". The Agency stated that an alternative protocol could be proposed, but that the safest regulatory course would be to perform the requested 200-subject study.</p>
#245-249	<p><i>CGP:</i> Our planned number of subjects per treatment arm for the HPA study was modeled after the Olux approval package and that for other similar approved products, which required between 13 and 15 subjects per treatment arm. However, the FDA suggested that the size be dramatically increased to 30 subjects per COL-109 arm, and to include simultaneous testing of adolescents. Could the Agency please explain why this larger study is required of CGP?</p> <p><i>FDA:</i> Our request is based on the current science – our approach to this issue has recently evolved based on a heightened concern about this particular risk (HPA axis suppression) with steroids, regardless of the route of administration (e.g., topical, inhaled, oral). There has been an Advisory Committee meeting about HPA axis suppression as recently as October 30, 2003, and we have had additional internal meetings since then. In these meetings, we have set the increased sample size for all newly initiated studies; the other programs to which you refer must have been discussed with us prior to our new standard. We have also changed the request that the studies be conducted in a step-down fashion (by increasingly younger age groups), and adolescents may therefore be enrolled simultaneously with adults.</p>



#301-307	<p><i>CGP:</i> We note that the Olux approval studies used a 7-point dynamic Investigator Global Assessment (IGA) scale, but it appears that you would prefer that all assessments be on a static scale. Although the Division has provided some suggestions on the construction of the scale in its comments, it is not clear what scale the Division would prefer. Could you suggest an acceptable scale?</p> <p><i>FDA:</i> We do not wish to divulge scales used by other Sponsors, but the IGA should have the following characteristics, in addition to the comments previously provided: it should be static, and include 5-6 integer rankings, with clear descriptors for each rank. The IPA should include measures of erythema, scaling, and plaque thickness, and allow for dichotomization of subjects into 2 groups: success or failure. The IPA should be the primary endpoint, and the secondary endpoints should include the 3 component measures (erythema, scaling, and plaque thickness). As affected surface area cannot be easily converted to a static measure, it is suggested that this be included in the eligibility criteria for staging of psoriasis severity. The severity definition may therefore be "an IPA of X and a surface area of Y" For HPA axis suppression testing we require a minimum of 20-30% body surface area exposure.</p>
#370	<p><i>CGP:</i> We understand that the reference to having a small ersatz Olux vehicle placebo arm in the Phase 3 study is to increase the blinding (as the COL-109 foam is clearly distinct from Olux). If this is the reason, we'd like to propose an alternative blinding mechanism, using an unblinded 3<sup>rd</sup> party to dispense study material, while keeping the investigator/evaluator blinded.</p> <p><i>FDA:</i> This may be acceptable; we look forward to seeing your plan as a proposal. We are happy to review protocols.</p>
#371-372	<p><i>CGP:</i> We note that Olux was approved without meeting the primary endpoint of non-inferiority to its RLD. Olux was nominally superior to its RLD, but this was noted by the Division as being not statistically supportive of a non-inferiority claim. The Division approved Olux believing that the nominal difference was sufficient, but in the pre-meeting package comments, the Reviewers assert that COL-109 needs to meet the higher standard. Could the Division please explain this apparent difference across similar programs, as the result of this decision could result in a study 4-5 times larger than those required of previous products?</p> <p><i>FDA:</i> We always ask for non-inferiority studies to the RLD in this type of submission. Although Olux is the RLD for your product and considering the design of that program is appropriate, we are not prepared to discuss the particulars of the approval of that product in this pre-IND meeting. We are sensitive to your concern for fairness, but in each case we look at the totality of the data submitted in an NDA. We will have to take discussions of this issue off-line, and consider the Olux approval in its complete context. This issue may be discussed further in your EOP2 meeting.</p>

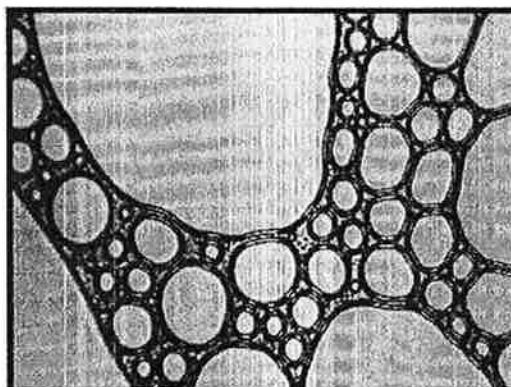
#401-405	<p><i>CGP:</i> If there is not a sizeable pediatric population for the indication we decide to pursue, would the studies in pediatrics (HPA Axis and P3) be able to be deferred until we pursue a follow-up indication with a more substantial pediatric population?</p> <p><i>FDA:</i> It is unlikely that there will be so few pediatric subjects in the indication you choose that this will support a waiver (as there are certainly adolescent psoriatics). In addition, other clobetasol products are indicated for children as young as 12, and we would prefer consistency to avoid confusing doctors with different standards set for similar products. However, if you can support the need for a waiver with ICD-9 data, we would be willing to look at a deferral. It is our preference that pediatric studies be started as soon as possible in these programs.</p>
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## Formulation Development Report

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# RestoraDerm



*Micrograph of RestoraDerm Aerosol Foam*

## Background

The objective of the development was to develop a carrier having a good delivery capacity at the same time as the negative side effects should be kept at a minimum. The latter is important since irritative side effects are common when applying topical products repeatedly on the skin. In order to avoid organic solvents the development aimed at a water-based lipid system. The lipids chosen were similar to physiological lipids and in a similar ratio that exists in the skin. Since the lipids are not soluble in water they had to be dispersed using homogenising equipment. The formulation was then adapted to an aerosol in order to obtain excellent stability and skin application properties.

## Excipients of the Carrier

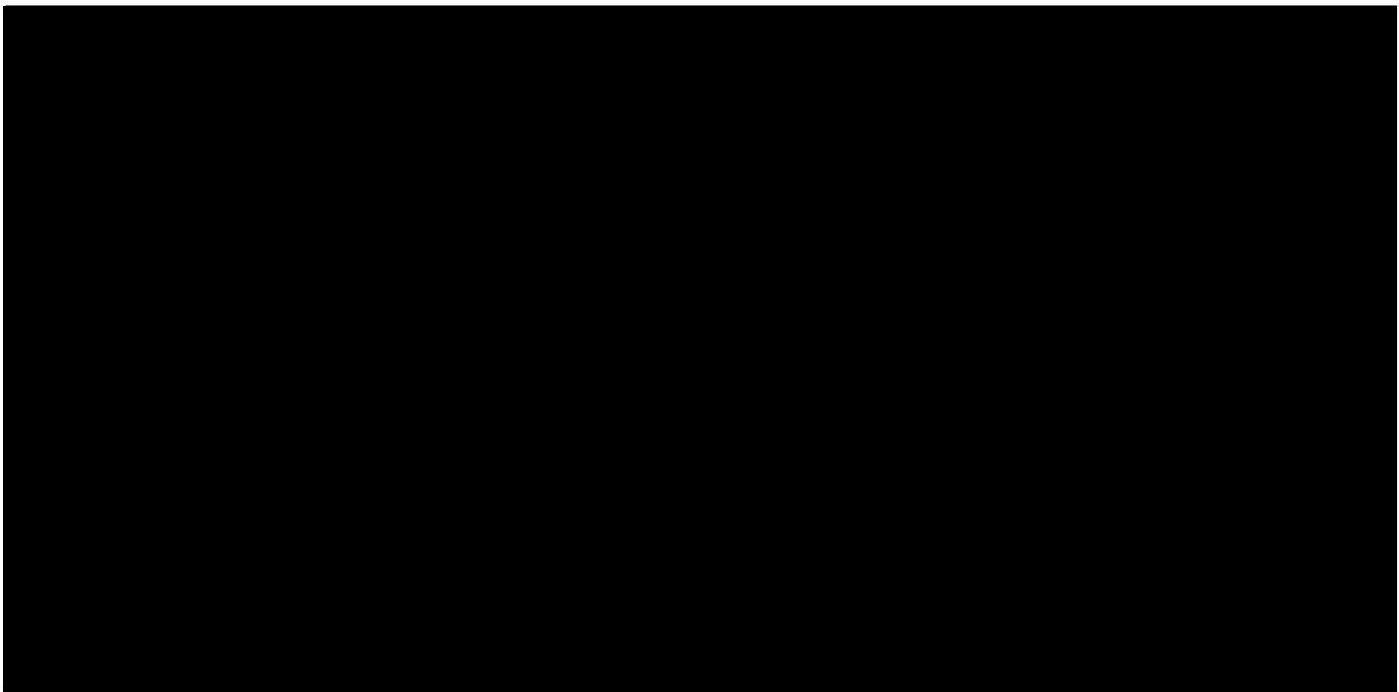
### Initial formulation

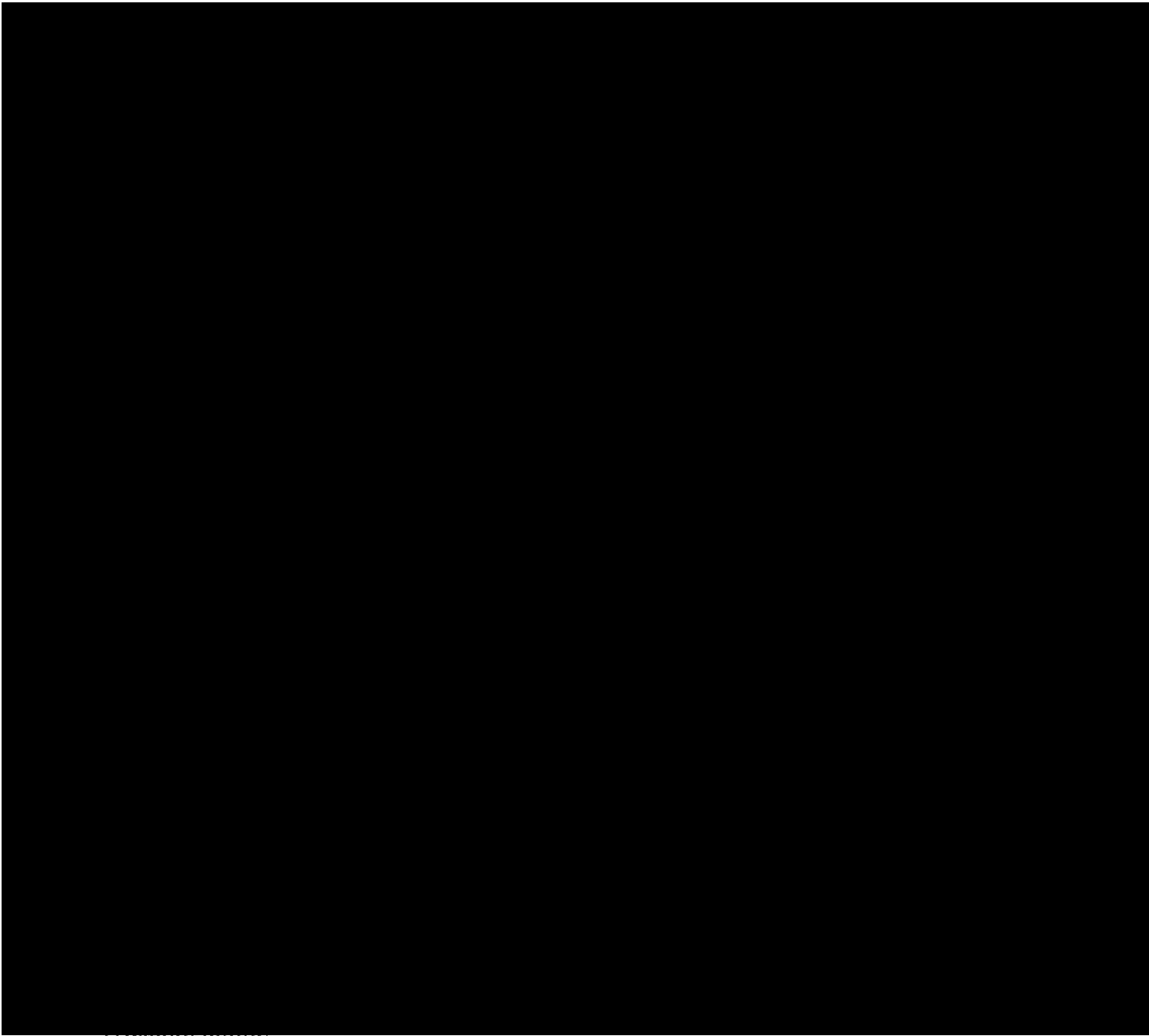
#### Water

A prerequisite for the formulation was to use water as solvent. This was because less side effects are anticipated compared to products based on alcohols or other organic solvents. It is for instance well known that such organic solvents remove part of the skin lipids [M.K. Bahl, J. Soc. Cosmet. Chem., 36, 287-296, 1985] and thus disturb the skin more than should be necessary.


#### Hydrogenated Soy Bean Lecithin, Palmitic Acid, Cholesterol, Ceramide III

The core of the formulation is a mixture of lipids that resembles the physiological lipids ratio within the stratum corneum. It is today well established that presence of a specific ratio of certain lipids can reduce the negative impact of a carrier [Mao-Qiang, M., Elias, P.M., Feingold, K.R., J Clinical Invest, 1993, 92:791-798; Mao-Qiang, M., Brown, B.E., Wu-Phong, S., Feingold, K.R., Elias, P.M., Arch Dermatol. 1995, 131:809-816; Mao-Qiang, M., Feongpld, K.R., Thornfeldt, C.R., Elias, P.M., J Invest Dermatol 1996, 106:1096-1101.]. The diagram in Figure 1 depicts how the transdermal water loss (TEWL) is reduced in presence of two different types of lipid mixtures.



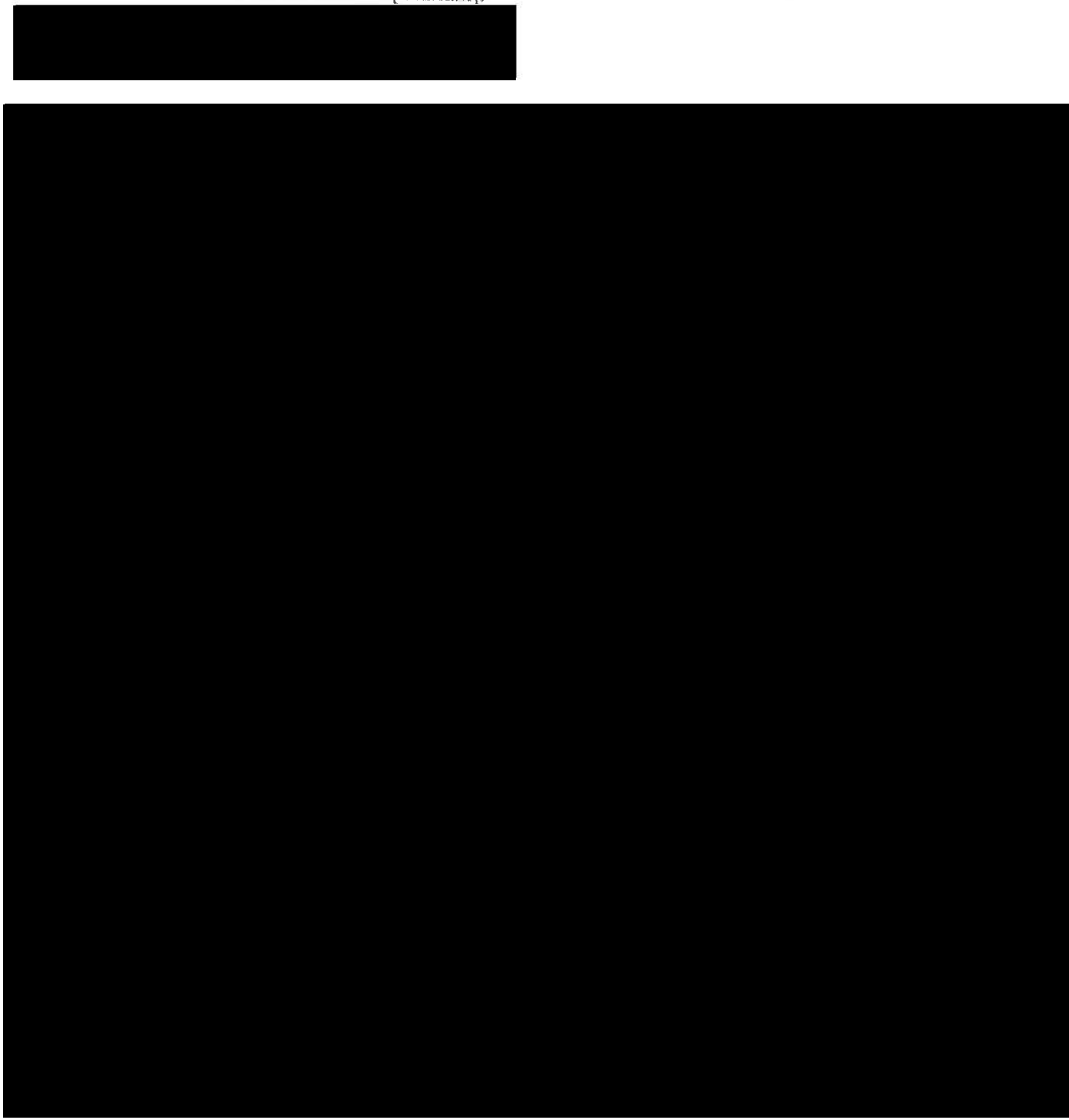


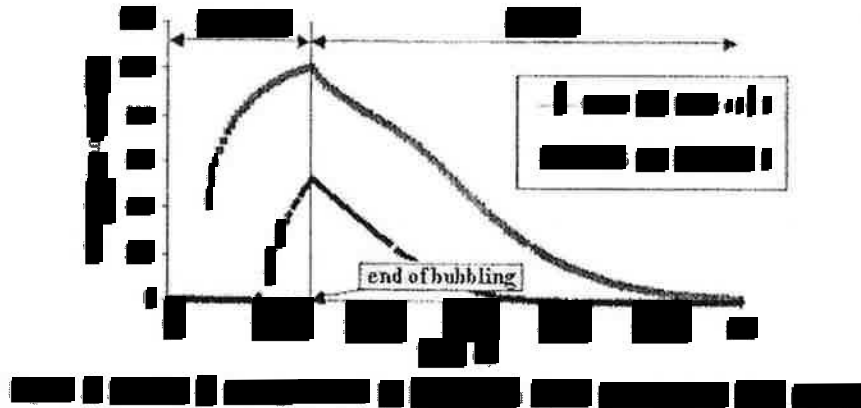
Standard buffer substance.  $pK_a = 7.8$  at  $25^\circ\text{C}$ . Optimal in pH range 7.3-8.3. [References: Stoll, V.S., and Blanchard, J.S. Buffers: Principles and Practice. Methods in Enzymology, 182, 24 (1990)., Merck 13,9739 Beil. 4, IV, 1524]. In formulation stored 22 months at  $25^\circ\text{C}$  the pH was 6.9 compared to initial value of 7.7.



**Phenonip**

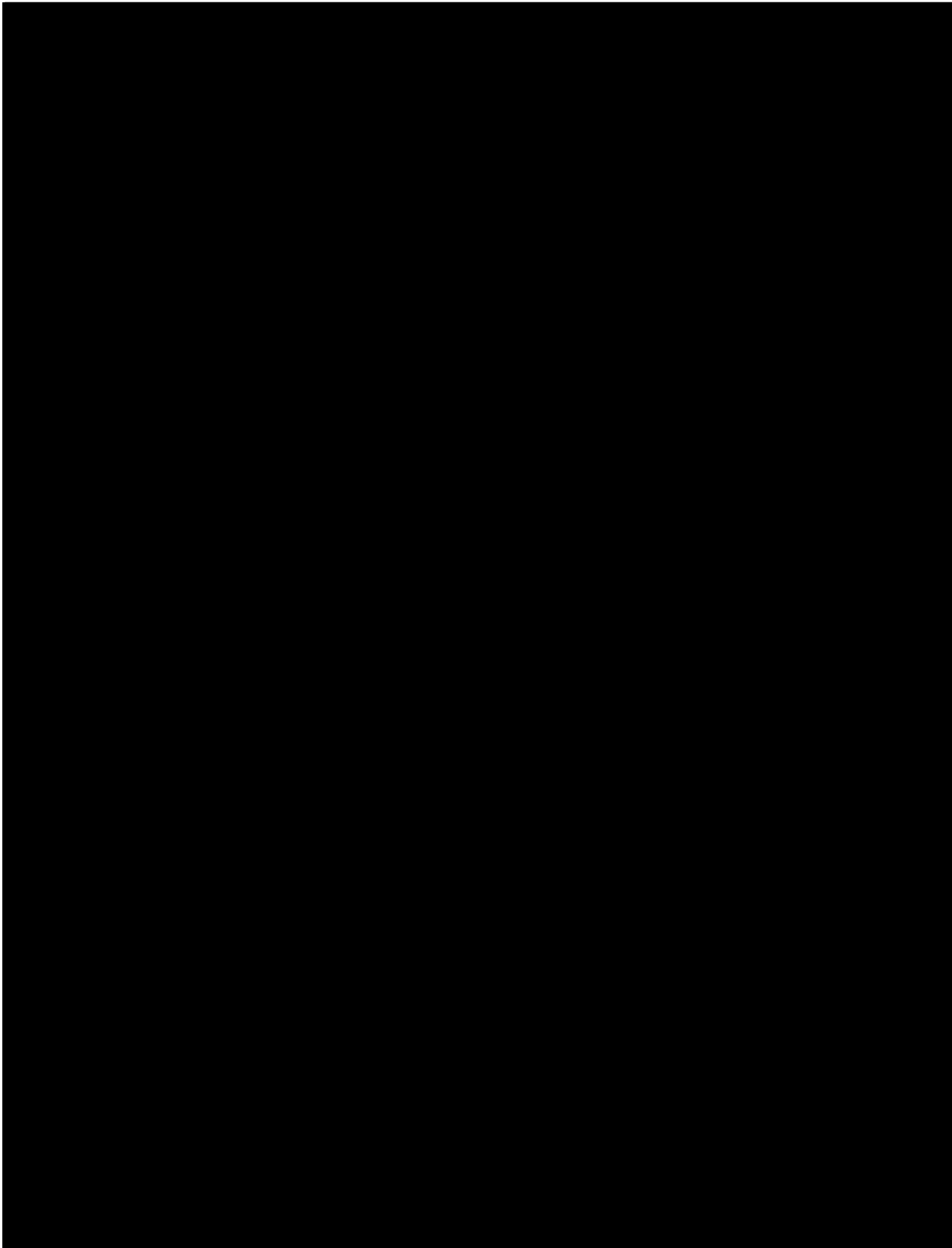
Phenonip® is one of the longest established preservative blends available that has a broad spectrum activity. It consists of a blend of paraben esters dissolved in phenoxyethanol. Important factors for the choice of Phenonip are that it is readily incorporated into formulation and that it is non-irritant to skin, eye and mucos membranes at normal concentrations ;0.25%-1% [Clariant].



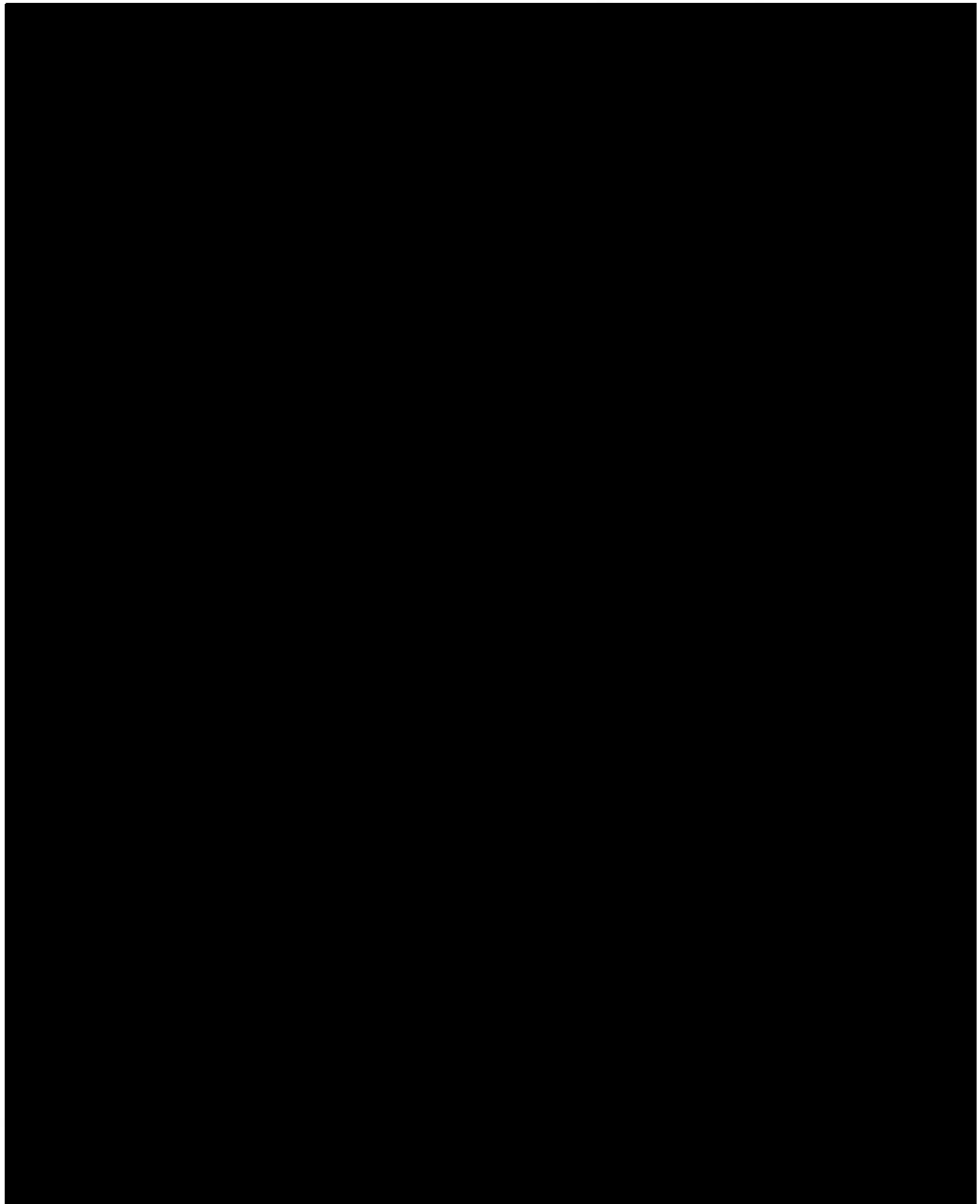


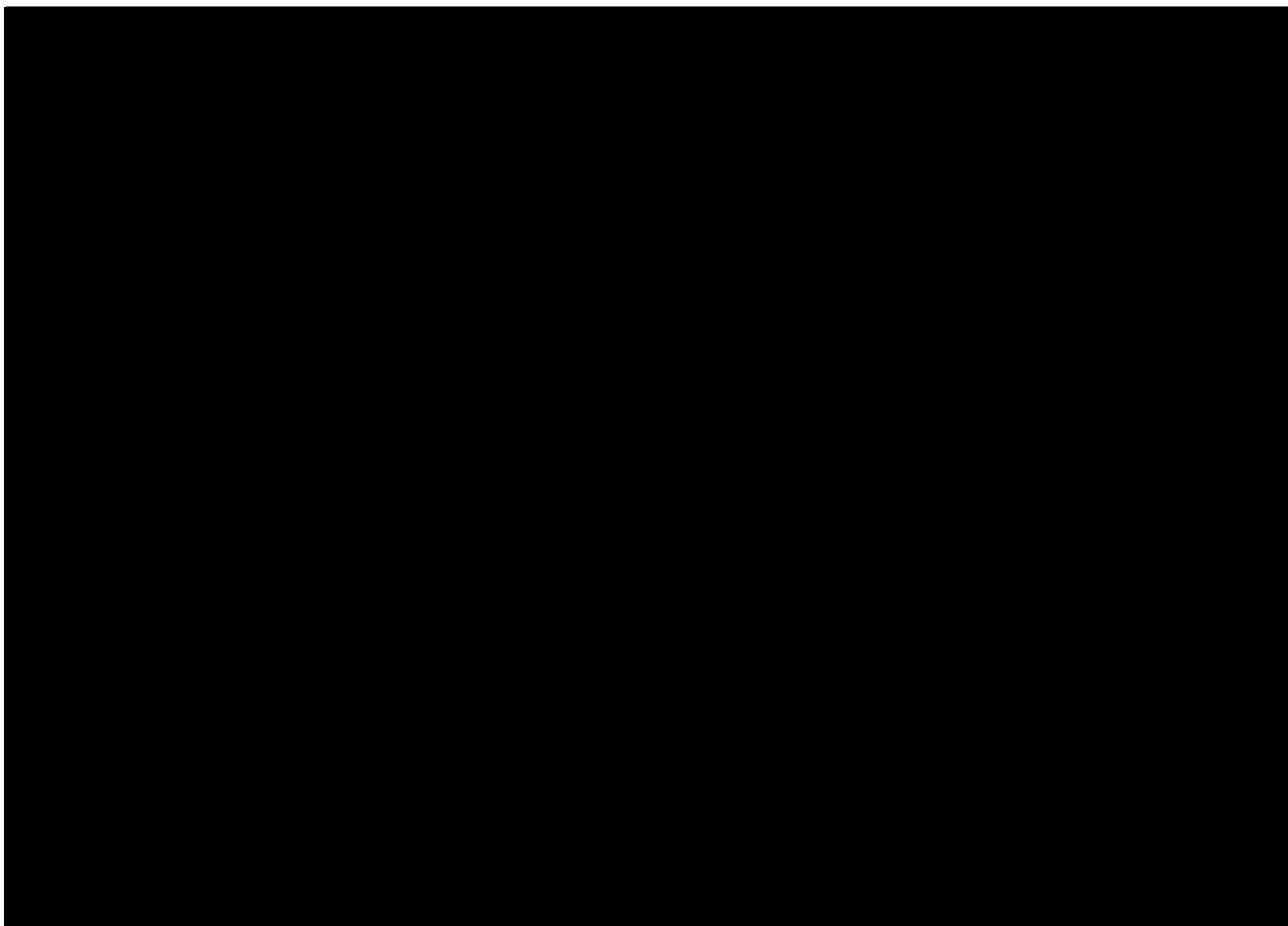
The results show that the best consistency and cosmetic skreen feeling is obtained with 0.7% Brij.

Concentration: 0.7%

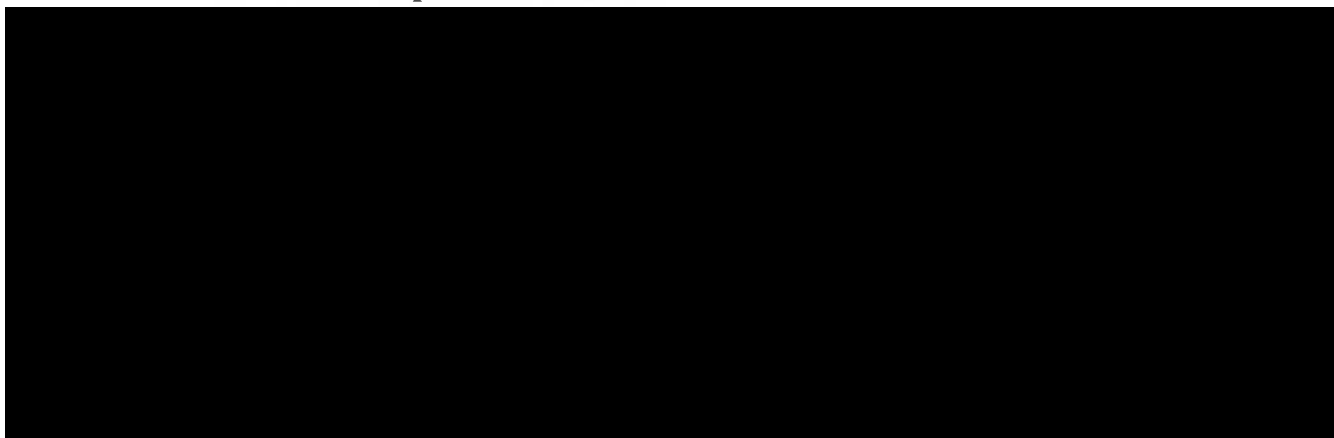


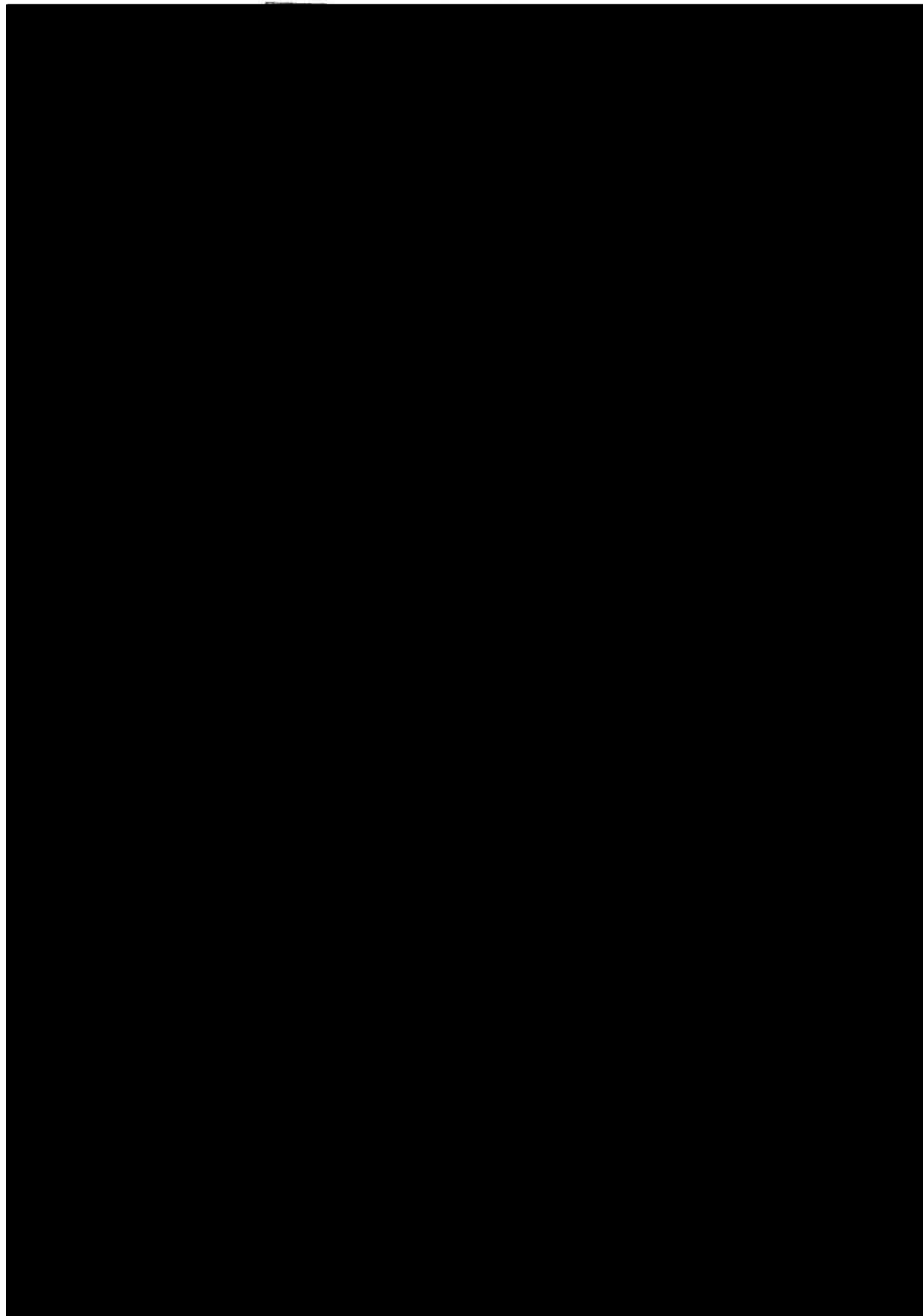


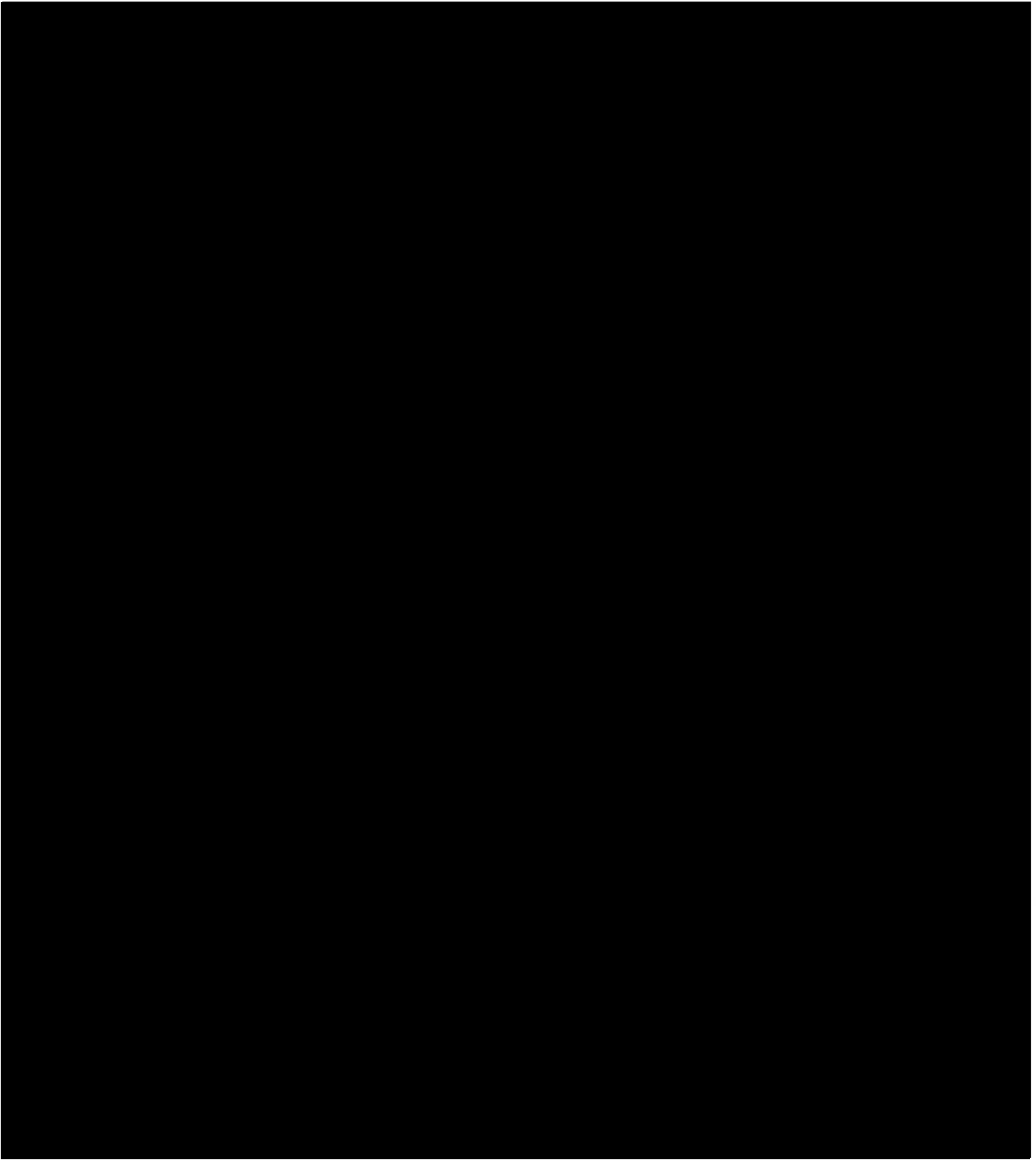




**Process and process control**

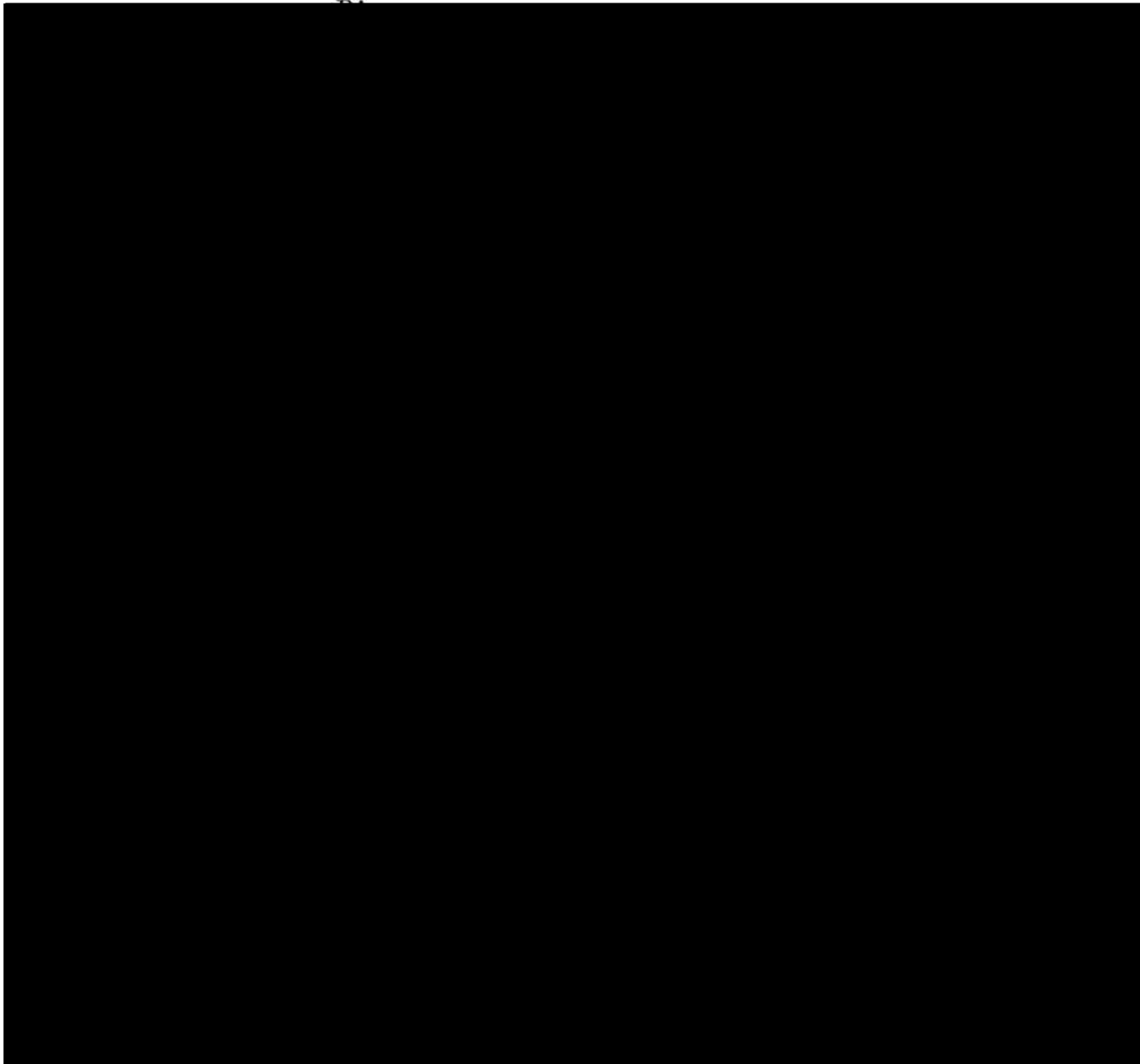






*Flow-diagram*

The over-all flow diagram of the formulation process of RestoraDerm is shown in Figure 10. The manufacturing of each of the phases is described further below but in principle the manufacturing of each phase consists of water heating, addition of excipients, hydration, processing, cooling and mixing to final formulation. The process controls are described separately for each phase.

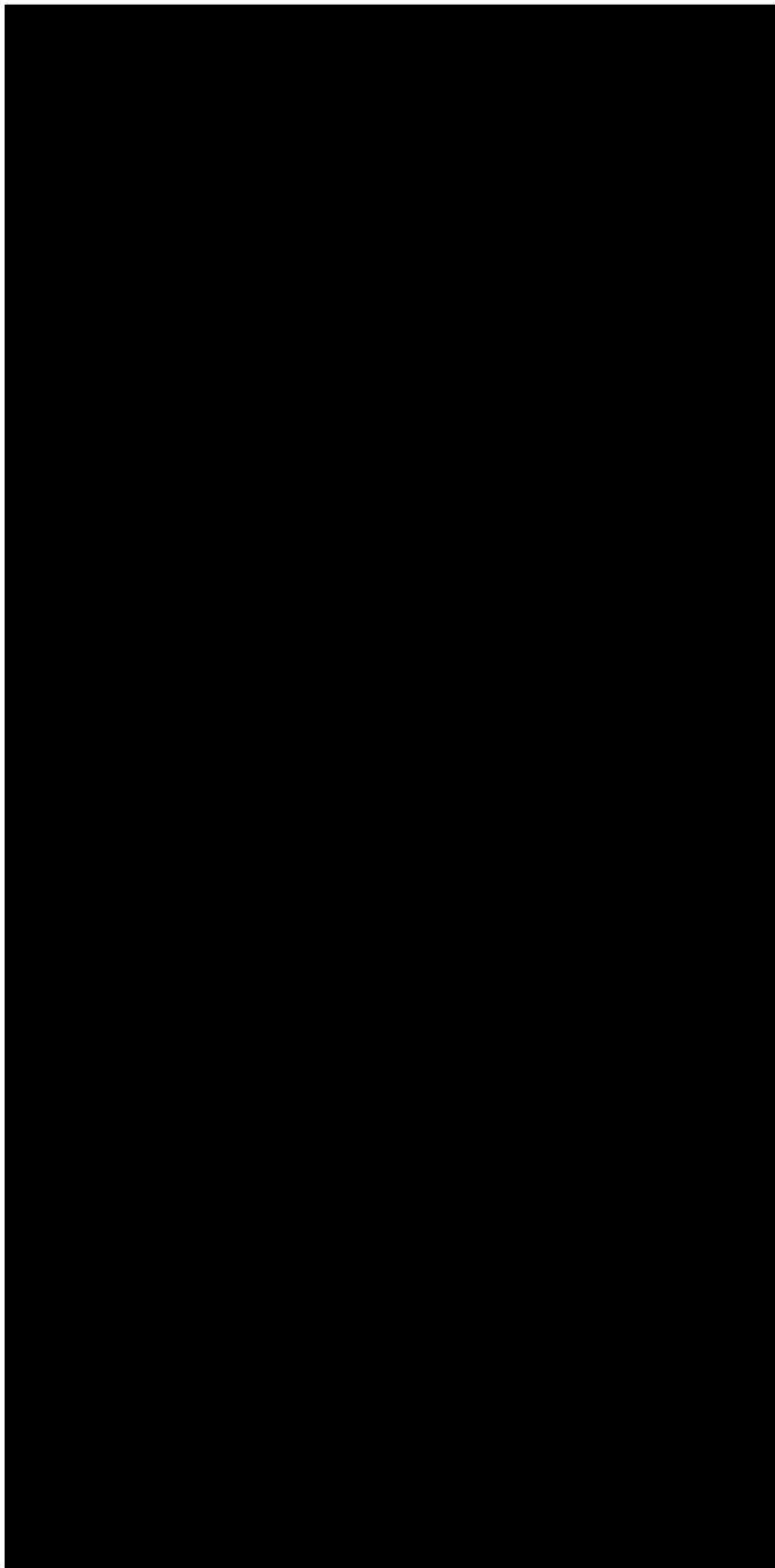


*Disperse phase**Composition*

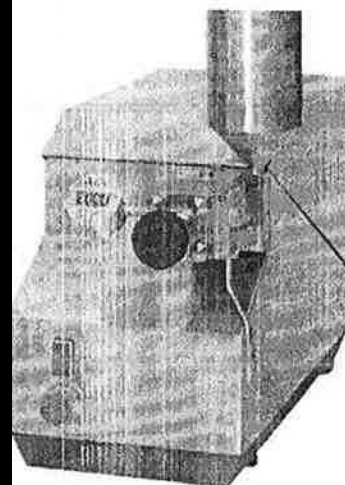
formulation (32.3%). The  
bilising components. In  
The content of the phase is



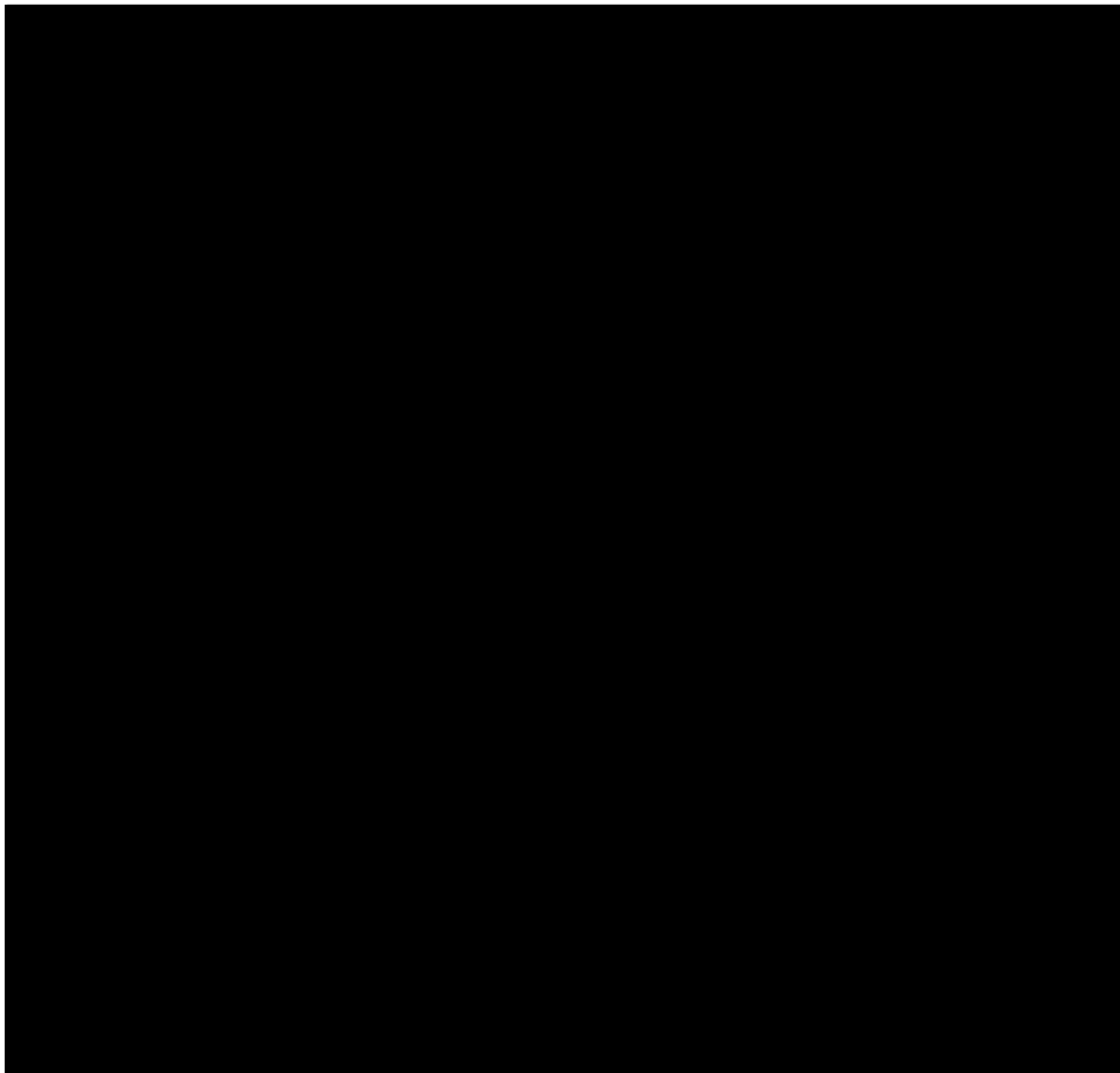
Figure 11: The Ystral®



d of the overall formulation  
r with a few stabilising  
active substance. Chemically







Equipment VME-12 (stainless steel). After appropriate control that there are no visible domains of different colour than rest of the bulk (L-Fig.10) mixing is ready and the total formulation is ready for filling.

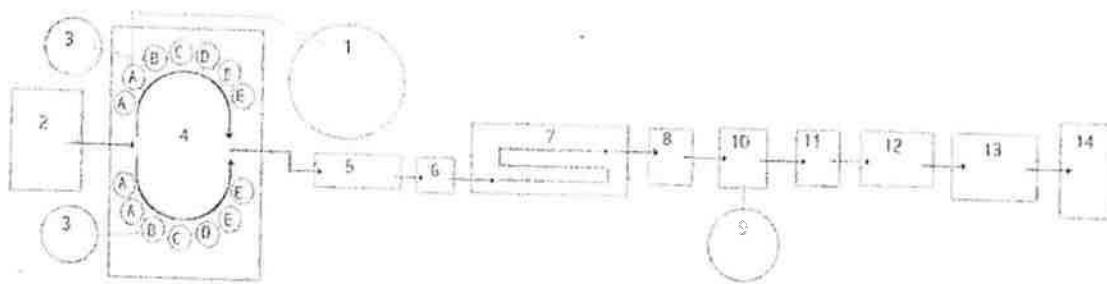
### *Filling & Container Closure System*

#### **Canisters**

White-coated aluminium canisters (35x65mm) were used. The inner lacquer was epoxyphenol. The canisters were autoclaved before use. An amount of 30g of bulk material was filled manually to each canister at Apoteket AB. The specification limits were 28.5-31.5g. The canisters were sealed manually with Pamasol equipment.

#### **Propellant**

The canisters were filled with a 50/50-mixture of propane/butane at Aerosol Scandinavia AB, Vallentuna, Sweden. A description of the filling line is shown in Figure 15.



**Figure 15:** The filling line at Aerosol Scandinavia AB. (1) Bulk container. (2) Conveyor belt for empty canisters. (3) Valve sorter. (4) Filling machine. A: Filling of bulk, B: Mounting of valve, C: Valve placement control, D: Valve contractor, E: Filling of gas., (5) Control of weight, (6) Batch marker, (7) Water-bath (50°C) for control of tightness and firmness, (8) Mounting of nozzle, (9) Cap sorter, (10) Mounting of cap, (11) Attachment of label, (12-14) Manual packing of canisters and placement on pallet.

Each can containing 30g bulk was filled with 3g propellant. The valve used was composed of stem assembly (Mont-Kegel 1X.018N.B65.V2A), housing (NYL 4SL CRO), cup (ALU MICO COMP ND), dip tube (Dip tube standard poly ethylene, 60mm), and spout (magic mousse +10157802) from Deutsche Präzisions-Ventil GmbH, Hattersheim, Germany. The filling rate was one can per second. Every tenth can was controlled by weight at Apoteket AB after filling.

### *Control of product*

For quality control of the product the following tests are suggested:

1. Concentration of model drug
2. Dose accuracy (variations between different outtakes)
3. Foam characteristics

**Action:** Batches containing either the hydrophilic or the hydrophobic model drug are produced. Concentrations of model drugs in formulation investigated together with dose accuracy. Evaluated according to protocol above.

**Responsible:** MS

Delivery: 050230

**Stability***Structure Profile**Dose accuracy*

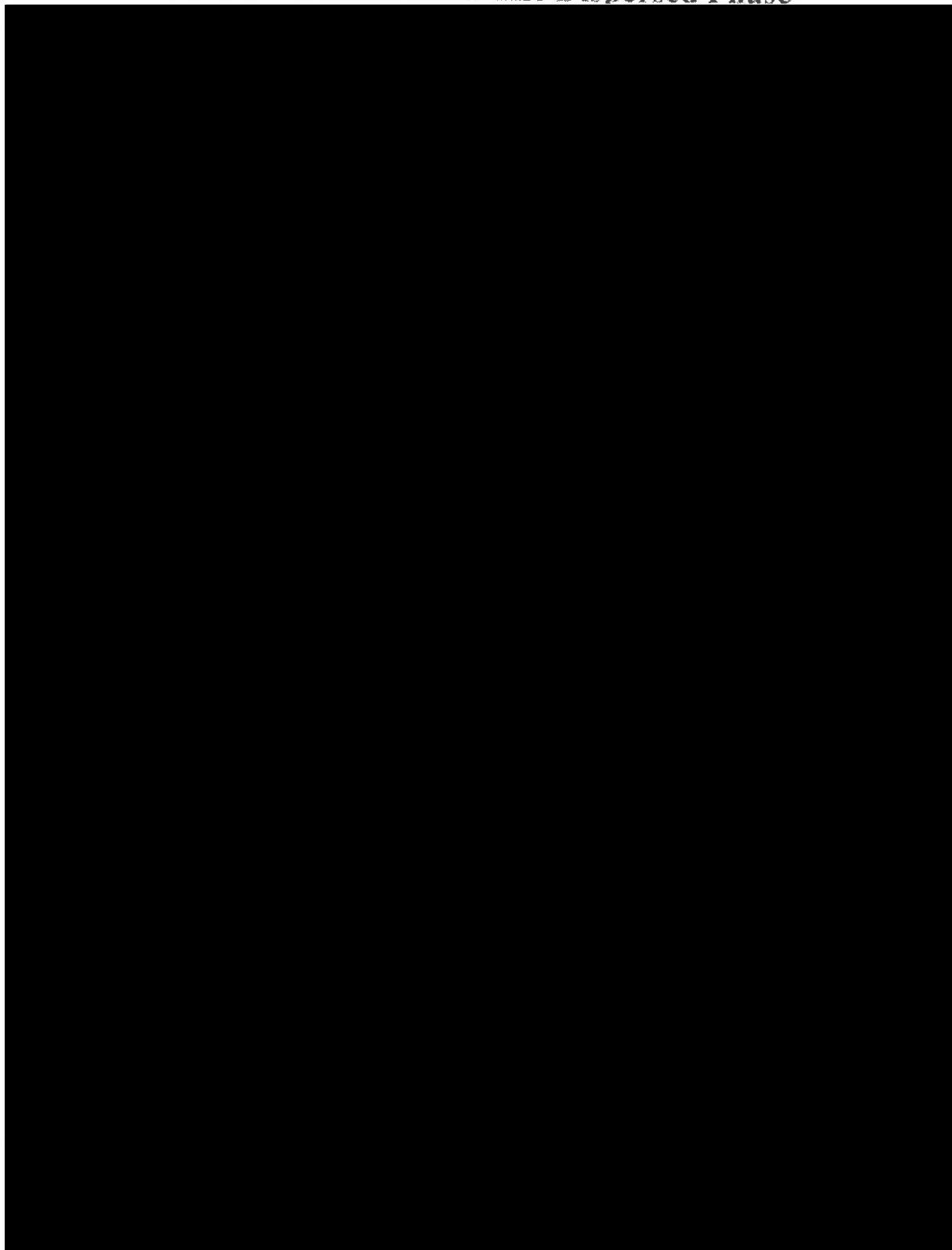
The formulations made above will be stored at 25°C and will be evaluated every second month.

Action: Decide place to keep and outline plan.

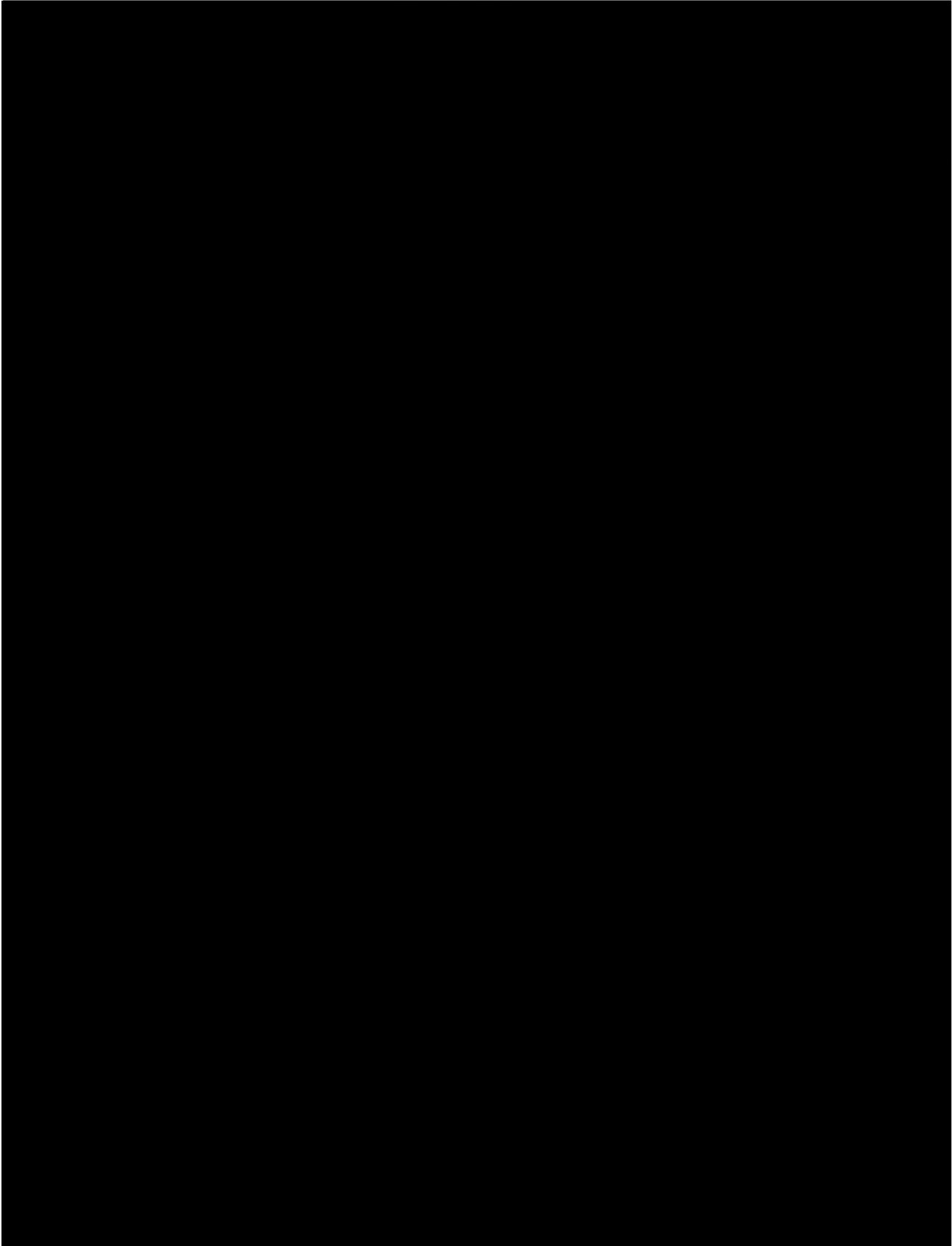
Responsible: MS

Delivery: 050230

## APPENDIX I

**Process Control for Ultra-fine Dispersed Phase**

APPENDIX II



TRADE SECRET/COMMERCIALLY SENSITIVE

Sent: den 17 mars 2010 17:00  
 To: Thomas Sköld  
 Subject: RE: VB: Technology

Exhibit 41  
 Sköld v. Galderma  
 Cancellation No. 92052897

Hi Thomas,

A quick update. We will be reviewing the VB technology in more detail in the coming weeks. We are playing catch-up from the American Academy of Dermatology and we have a sales meeting next week. I'm meeting with [REDACTED] tomorrow to discuss and will get others involved shortly there after.

Thanks for your patience.

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
 Sent: Tuesday, February 16, 2010 1:13 PM

[REDACTED]  
 [REDACTED] Technology

I'm away from home but will be back tomorrow evening (Thursday). Let me get back to you on Friday so we can arrange a CDA.

I'm putting together some documents and might also have something produced a few years ago for your review.

Until Friday,  
 Thomas

Från: [REDACTED] [mailto:[REDACTED]]  
 Skickat: den 16 februari 2010 16:02  
 Till: Thomas Sköld  
 Ämne: Re: VB: Technology

Hi Thomas,

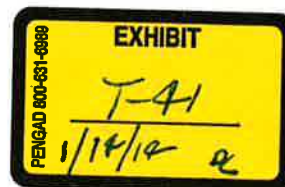
Nice to hear from you. I'm not familiar with the VB technology so I need to do some studying & research prior to stating our interest. By chance do you have an overview document that you could share? If so would you like us to have a confidentiality agreement in place first?

All the best

On Feb 11, 2010, at 7:06 AM, Thomas Sköld <thomas-skold@telia.com> wrote:

Dear [REDACTED]

Public



It would be good seeing you again after these years and I was also glad learning about what [REDACTED] is back at [REDACTED].

Anne and I went over to St Martin for some holiday after the meeting and now we are back in Sweden where it is winter and more winter than we have had in many years. Coming back to the Restoraderm technology, I'm putting most my effort now in to the patent work. I have one patent issued but need to speed the process up on the others so I'm conducting several of experiments to make it easier for the examiners. However I also need to start looking for a partner or partners since I'm flexible of how to do things. Especially since this is a system one can use orally, intra nasally, topically in lotions, creams, ointments and foams.

If you have any ideas and or interest please feel free to get back to me.

Promise to say hi to [REDACTED] from both me and Anne!

All the best,  
Thomas

**From:** [REDACTED]  
**Sent:** Monday, August 22, 2011 8:39 AM  
**To:** Thomas Sköld  
**Subject:** RE: Restoraderm Technology Lipogrid Technology

I haven't forgotten, I just haven't had the appropriate opportunity to discuss Restoraderm with the owner [REDACTED]. He has been on holiday and traveling quite a bit these past few weeks. With respect to Lipoint, unfortunately, this is too early stage for the [REDACTED]x. At this time, we are focusing on later stage opportunities. Please let me know the status of the Restoraderm name and if you plan to rename it if unsuccessful in getting things settled with Galderma. All the best my friend.

114

[illegible]

Exhibit **T 42**  
Skold v. Galderma  
Cancellation No. 92052897

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, August 19, 2011 7:55 AM  
**To:** [REDACTED]  
**Subject:** Restoraderm Technology Lipogrid Technology

Dear [REDACTED]

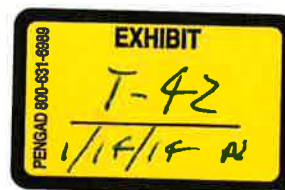
I haven't heard back from you and I'm not sure if it is because of a lack of interest which would surprise me.

Anyway if that is not the case I wanted to let you know that I will be in New York on Oct 3<sup>rd</sup> and 4<sup>th</sup> and the week before in San Francisco and Napa Valley (Coastal Derm meeting).

All the best,  
Thomas

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Public





Arthur Jackson

## Trade Secret/Commercially Sensitive

From: [REDACTED]  
 Sent: Monday, August 29, 2011 12:15 PM  
 To: Thomas Sköld  
 Cc: [REDACTED]  
 Subject: RE: Restoraderm

Public

Hello Thomas,

I found the related published patent applications, but not the patent. Kindly provide the number for the granted patent.

Thanks,

Exhibit T 43  
 Skold v. Galderma  
 Cancellation No. 92052897

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
 Sent: Monday, August 29, 2011 7:09 AM  
 Subject: SV: Restoraderm

Good morning to you All,

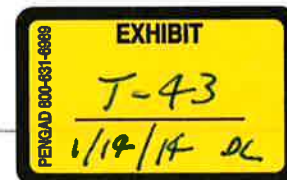
Absolutely [REDACTED], anyone is welcome and with all kinds of enquiries.

About manufacturing, we have done a number of 20 kg batches. The lab equipment both APL and I have are of the sort where scale up is not an issue it used to be. Any APV homogenizer capable of [REDACTED] will produce the exact same average size vesicles as we do in our lab version (APV [REDACTED]). Therefore we hardly use a Sonicator anymore. Only when extremely expensive compounds are in question since one have to run through more than 100 ml each time. In contrast with the [REDACTED] product I suggest only one run through the APV making manufacturing process quicker (the ultra fine fraction is checked with a light scattering equipment). When it comes to the dispersed fraction modern versions are like a pump normally used when emptying a vessel. Instead of using a simple pump one uses a dispersing pump achieving the goal when emptying the vessel. Factors in this phase are temperature, ratio between ingredients and energy input and given the same each time the results will be same and or very similar. When cooled down the 3 fractions are to be gently stirred together.

Application number 12/290455 granted May 27<sup>th</sup> 2011.

Good luck and all the best,  
 Thomas

Från: [REDACTED]  
 Skickat: den 29 augusti 2011 13:14  
 Till: Thomas Sköld  
 Kopia: [REDACTED]  
 Ämne: FW: Restoraderm



Hello Thomas: There are a couple of questions that are promoted by review of the above document and in particular



Trade Secret/Commercially Sensitive

Also, I have been unable to locate the US patent that was recently approved. Can you please provide a pdf or provide the number please?

Lastly, please note that you may receive product development related and other enquiries directly from the individuals cc'd on this note from time to time. They are all part of the [redacted] team.

Many thanks and all the best. [redacted]

[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]

[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]

TRADE SECRET/COMMERCIALLY SENSITIVE

Från: [REDACTED]  
 Skickat: den 15 december 2011 15:42  
 Till: 'thomas-skold@telia.com'  
 Ämne: Re: Restoraderm Technology

Thomas

My apologies. We remain interested but I continue to sort through issues related to the reorganization of our [REDACTED]  
 [REDACTED] We had expected by now to complete a transaction but this taking longer than expected to finalize  
 delaying a number of strategic investment decisions.

Best regards

[REDACTED]

[REDACTED]

and email address

Exhibit	T 44
Skold v. Galderma	
Cancellation No. 92052897	

From: Thomas Sköld <thomas-skold@telia.com>  
 To: [REDACTED]  
 Sent: Tue Dec 13 07:30:07 2011  
 Subject: Restoraderm Technology

**Public**

I never heard back from you.

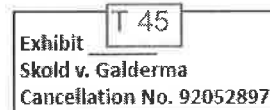
Is the Restoraderm technology something that you are considering or is it off?  
 I don't want to "pushy...#157; but I do need to make some decisions in a near future.

All the best,  
 Thomas

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**From:** Greg Ford <gford@collagenex.com>  
**Sent:** Thursday, November 29, 2007 10:55 PM  
**To:** Thomas Sköld <thomas-skold@telia.com>  
**Cc:** Andrew Powell <apowell@collagenex.com>  
**Subject:** RE: Restoraderm



Dear Thomas,

I confirm that due to budgetary restrictions, we have made the difficult decision not to develop a Restoraderm product and have decided to divest Restoraderm in the coming months. Additionally, we continue to believe that the maximum value will be derived from a patented Restoraderm technology and we have therefore recently briefed Reed Smith in Philadelphia so that they can assist Hoffman & Baron with moving forward with this patent prosecution.

All the best,  
Greg

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Thursday, November 29, 2007 6:03 AM  
**To:** Greg Ford  
**Subject:** Restoraderm

Good morning Greg,

Time is moving rapidly and every week that goes by is very cost full.

Please confirm in writing what you told me over the phone 1½ week ago about Collagenex decision not to develop anything with Restoraderm and that we both should start looking for options on how to resolve that. I really would like to have that from you before I start talking to various parties that might have an interest in the technology.

Regards,  
Thomas

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**Public**

**VIA FEDERAL EXPRESS**

12 February 2008

Exhibit T 46  
Skold v. Galderma  
Cancellation No. 92052897

Mr. Thomas F. Clauss, Jr.  
Wiggin and Dana LLP  
400 Atlantic Street  
P.O. Box 110325  
Stamford, CT 06911-0325

Re: Breach Notice Letter dated 29 January 2008  
Asset Purchase and Product Development Agreement  
by and between  
CollaGenex Pharmaceuticals, Inc. and Thomas Sköld



Dear Mr. Clauss:

We have received your letter dated 29 January 2008. CollaGenex has not breached the subject Agreement and, accordingly, does not accept the letter as a notice of termination of the Agreement. CollaGenex will not return the Restoraderm business to Mr. Sköld, nor tolerate any action which may be designed to diminish, or have the effect of diminishing, the value of that business as an asset of CollaGenex.

We have specifically, on multiple occasions, amicably shared our concern that unfounded allegations of material breach could seriously diminish the value of the Restoraderm business, and we were surprised to receive the January 29 letter even as we were continuing discussions of next steps to maintain that value. Nonetheless, we will treat the purported notice as provided in good faith and would like to address the allegations in your letter in the order in which they were presented.

**CollaGenex has not voluntarily terminated the Agreement**

The e-mail dated 29 November 2007, from CollaGenex's Greg Ford, VP, Business Development & Strategic Planning to Mr. Sköld is not a voluntary termination of the Agreement. In the spirit of our consistently open communications with Mr. Sköld, it merely advises him of the decision not to develop a Restoraderm product and instead to seek other developers of the Restoraderm business. CollaGenex is fully within its rights to make this decision. Furthermore, as you are no doubt aware, the Agreement specifically contemplates that it will be assigned, not terminated, in the event of divestiture of the Restoraderm business.

CollaGenex Pharmaceuticals, Inc., 41 University Drive, Suite 200, Newtown, PA 18940 USA  
215-579-7388 voice 215-579-8577 fax

**SKOLD v. Galderma, Cancellation No. 92052897, Exhibit Book p. 241**

**SKOLD-000658**

CollaGenex has not materially breached the Agreement

*Development Diligence, 3.4*

CollaGenex has more than fulfilled its obligation to develop Restoraderm by demonstrating pilot stability of more than five products, not to mention investing considerable time and effort in formulating a range of products that did not meet stability targets.

*Joint Steering Committee Meetings, 3.1(d)*

CollaGenex has maintained consistently open communications with Mr. Sköld. In addition to formal Joint Steering Committee Meetings, we have met with him in person on numerous occasions in locations as diverse as our office suite and industry meetings, as well as corresponding with him via e-mail and telephone countless times. We adopted this informal, cooperative approach to accommodate Mr. Sköld's style in a way that we considered was most efficient and productive. Mr. Sköld never objected to this approach. Some informality in the Joint Steering Committee process in no way constitutes a material breach of the Agreement.

*Development Plans, 3.3*

CollaGenex's obligation to prepare Development Plans takes effect after the selection of a Product for development. Having completed initial pilot stability screening, product feasibility and marketing studies, and freedom to operate reviews, CollaGenex has decided to seek other developers for Restoraderm and has no current plans to develop a Product.

*Demonstrated Stability, 3.4(b)*

CollaGenex demonstrated the stability of more than five Restoraderm products shortly after the deadline of 31 March 2007. In addition, prior to that date, both parties recognized that due to extrinsic circumstances (including those set out in the History of the Relationship section below) CollaGenex might miss that deadline. It is a measure of CollaGenex's good faith and commitment that it nonetheless agreed to accelerate milestone payments that would otherwise not have been due or payable to Mr. Sköld. Any delay in fulfilling this obligation has accordingly been fully compensated and cannot now be asserted as a material breach of the Agreement.

*Demonstrated Stability and Payments to Mr. Sköld, 3.4(b) and 4.1*

CollaGenex did not cease development of Restoraderm products to avoid paying Mr. Sköld. As noted above, CollaGenex in fact accelerated payments that were not due or payable to Mr. Sköld. CollaGenex's decisions to abandon the development of some Products and invest instead in the development of new Products were consistent both with its obligation of commercial reasonableness and with its commitment to Mr. Sköld to maximize long-term mutual profit. CollaGenex has invested over [REDACTED] in Restoraderm, and Mr. Sköld has received over [REDACTED] in payments from CollaGenex. Accusations that CollaGenex has not fulfilled its duty of good faith and fair dealing in its relationship with Mr. Sköld are unfounded and counterproductive.



### *Intellectual Property Rights, 3.6*

CollaGenex has used commercially reasonable efforts to procure Intellectual Property Rights relating to Restoraderm. It has, in fact, invested more time and consulted more experts pursuing patent protection for Restoraderm than for any other single patent in its portfolio. CollaGenex has procured an issued patent in Australia and is currently prosecuting pending applications in the United States, the European Patent Organization, Australia (a divisional patent application), Canada, Japan, New Zealand, and South Korea. Patent prosecution is a long and complex government process. The challenges CollaGenex has faced in prosecuting the Restoraderm patents are consistent with those that it (and its industry competitors) increasingly face before the United States Patent and Trademark Office (USPTO). In addition, further to its commitment to continue to seek patent protection to maximize the value of the Restoraderm business as an asset, CollaGenex recently transferred the pending US patent applications to a prominent Philadelphia law firm to obtain a fresh perspective and prosecution strategy.

At the same time, CollaGenex procured a trademark registration with the USPTO for Restoraderm® for *therapeutic skin care preparations and treatment for skin disorders* on 16 August 2005. Another Restoraderm™ trademark for *non-medicated skin care preparations* has been approved by the USPTO (the formality of registration is pending). CollaGenex has, in addition, procured trademark registrations for Restoraderm in the European Union, with separate registrations in Israel, Norway, Switzerland, and the United Kingdom, including engaging in lengthy and costly negotiations to secure recognition of its prior rights from competing companies.

The accusation that CollaGenex has not used commercially reasonable efforts to prosecute the Restoraderm intellectual property is unfounded. Furthermore, since CollaGenex's primary objective is to preserve the value of Restoraderm, the efforts to secure Intellectual Property Rights will continue as an integral part of, and critical to, the process of seeking other developers for the Restoraderm business.

### *Business Plans, 3.7*

The failure of CollaGenex to prepare a Business Plan in no way constitutes a material breach of the Agreement. For the foreseeable future, CollaGenex will not receive FDA approval to market and sell any Restoraderm Product and, as such, has no reasonable basis on which to create a Business Plan.

### *Confidential Information, 8.5*

For at least the reasons set forth above, CollaGenex has not voluntarily terminated the Agreement and, thus, is not obligated to return Confidential Information, the Purchased Assets, or any Additional Records.

### *Alleged Damages*

For at least the reasons set forth above, CollaGenex is similarly not obligated to pay Mr. Sköld any damages. But even if the allegations of the letter of January 29 were better founded, it is still true that the measure of damages referenced in that letter is completely inappropriate. The sum quoted is the sum of all the milestone payments that could ever come due under the Agreement, accelerated to today, without recognition of any of the attendant risks. This reflects an ideal world where patent protection is readily available, there are limitless resources to develop every product, and all of this happens in record time. To insist on using that ideal as a yard stick for commercially reasonable success stubbornly ignores the reality of drug development for a small company. Yet it is that insistence which has, at times, strained CollaGenex's relationship with Mr Sköld.

### History of the Relationship

In assessing the commercial reasonableness of CollaGenex development efforts, it therefore bears reviewing that the value that CollaGenex has added to the Restoraderm business has been achieved against a background of often challenging events, which include, very briefly stated for the last five years, the following:

In 2004 the risks and challenges relating to the development of Products, specifically the first BPO and clobetasol Products, became clearer. As a result, Mr. Sköld requested renegotiation of the Agreement to change it from a license to an asset sale, thereby reducing his development risk by accelerating the basis on which he would realize value from the Restoraderm technology.

In 2005 the development of CollaGenex clobetasol Product was halted when FDA would not accept some components of its formulation because, contrary to the initial representations of Mr. Sköld, they were not covered by existing drug master files. In that same year, a competitor launched a clobetasol foam product, and CollaGenex abandoned development work on clobetasol, its lead Restoraderm product candidate.

At the same time, CollaGenex engaged independent consultants to identify components that would meet FDA requirements for the original Restoraderm formulation, while also contracting Sciarra Labs to conduct unplanned reformulation work. The intention was to create a formulation that excluded non-compendial components but remained covered by the pending patent and still cosmetically appealing.

In 2005 CollaGenex also lost the principal source of funding for its development pipeline when generics entered the market for its flagship Periostat® product. This forced the company, as a matter of survival, to focus its development resources almost exclusively on its next potential substantial revenue generating product, Oracea®. Nonetheless, CollaGenex began exploring abbreviated development tracks for potential Restoraderm products by focusing its stability work on over the counter and so called DESI compounds. In the course of refining this strategy, however, it became apparent that the sales opportunity for these Products was quite small, due to extensive competition, and did not justify the sales and marketing investment to launch them.



In 2006 CollaGenex initiated development of its SansRosa technology platform, which was newly acquired for [REDACTED]. In the same year CollaGenex successfully launched Oracea®, and ramped up its work with Sciarra Labs to establish the stability of a broad range of compounds in a reformulated Restoraderm. At the same time, the market place for dermatological foams changed significantly as competitors such as Foamix made foam vehicles broadly available across the sector.

In 2007 CollaGenex completed stability data on a range of Restoraderm compounds, and conducted market feasibility studies and patent freedom to operate studies on many of them. Meanwhile, final rejections were issued in the U.S. Restoraderm patent applications. At the same time, CollaGenex also obtained excellent early stage clinical results indicating the efficacy of its COL-118 SansRosa compound as a potential treatment of erythema, estimated as a [REDACTED] opportunity with development expenses comparable to those of Restoraderm.

Also in 2007, however, CollaGenex was forced to abandon Phase 3 clinical trials of its lead product candidate Incyclinide, resulting in significant losses to its market capitalization and its ability to raise equity capital to finance additional research and development. The result was again a difficult choice between commercializing the larger COL-118 product on the basis of proven clinical data and multiple patent applications, or continuing to develop a series of unproven smaller Restoraderm Products in a vehicle that may enjoy no patent protection.

In the process of finalizing its 2008 budget, CollaGenex decided to pursue the former, while devoting significant resources to obtaining a patent that would maximize the value of Restoraderm to a potential successor developer.

#### Summary of CollaGenex's Position

The preceding lengthy (albeit abbreviated) history makes no attempt to tell every detail of every decision made. It is, however, intended to illustrate the key points which seem to be at issue in our current (and also our previous) discussions with Mr. Sköld. Namely

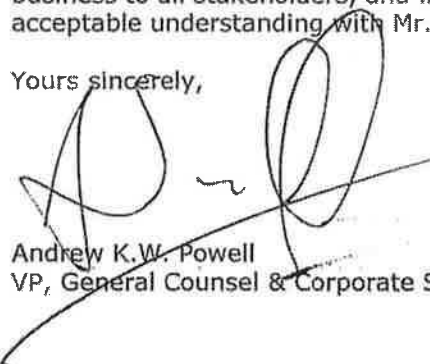
- (i) drug development is subject to market and compound specific risk, thus, it is not an investment that pays guaranteed returns;
- (ii) CollaGenex has, at all times, acted in a commercially reasonable manner, consistent with prevailing pharmaceutical industry standards for a company of similar size with respect to a product at a similar stage of development and of similar market potential, taking into account efficacy, safety, the anticipated regulatory authority approved labeling, the competitiveness of alternative products in the market place or under development, the patent and other proprietary positions of the product, the likelihood of regulatory approval, the commercial value of the product, and other relevant factors; and
- (iii) small companies must make tough decisions to manage risk and allocate their resources, and these decisions can be commercially reasonable even though they may result in returns which fall short of idealized aspirations.

CollaGenex believes that its strategy to seek other developers for the Restoraderm business is consistent with these realities and is the best approach to maximizing the value of the Restoraderm business.

This is, however, a cooperative process, as reflected in CollaGenex proposals sent to Mr. Sköld shortly before receipt of the January 29 letter. CollaGenex will not give guarantees concerning the timing or size of payments that Mr. Sköld may receive as a result of this process; neither will it continue with such process under threats; nor will it tolerate actions taken by Mr. Sköld which may be designed to obstruct that process.

With these understandings clearly on the record, however, we remain committed to continuing our discussions of how to maximize the value of the Restoraderm business to all stakeholders, and in that spirit we look forward to reaching a mutually acceptable understanding with Mr. Sköld as our discussions continue.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Andrew K.W. Powell", written over a horizontal line.

Andrew K.W. Powell  
VP, General Counsel & Corporate Secretary

cc: Thomas Sköld (via e-mail)  
J. Gregory Ford, VP, Business Development & Strategic Planning  
Ellen E. Fleitz, Director, Intellectual Property



# Overview of Restoraderm® Technology

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## A Technologically Advanced System for the Restoration of Skin Barrier Function & Controlled Drug Delivery

Exhibit T47  
Skold v. Galderma  
Cancellation No. 92052897



Confidential

1

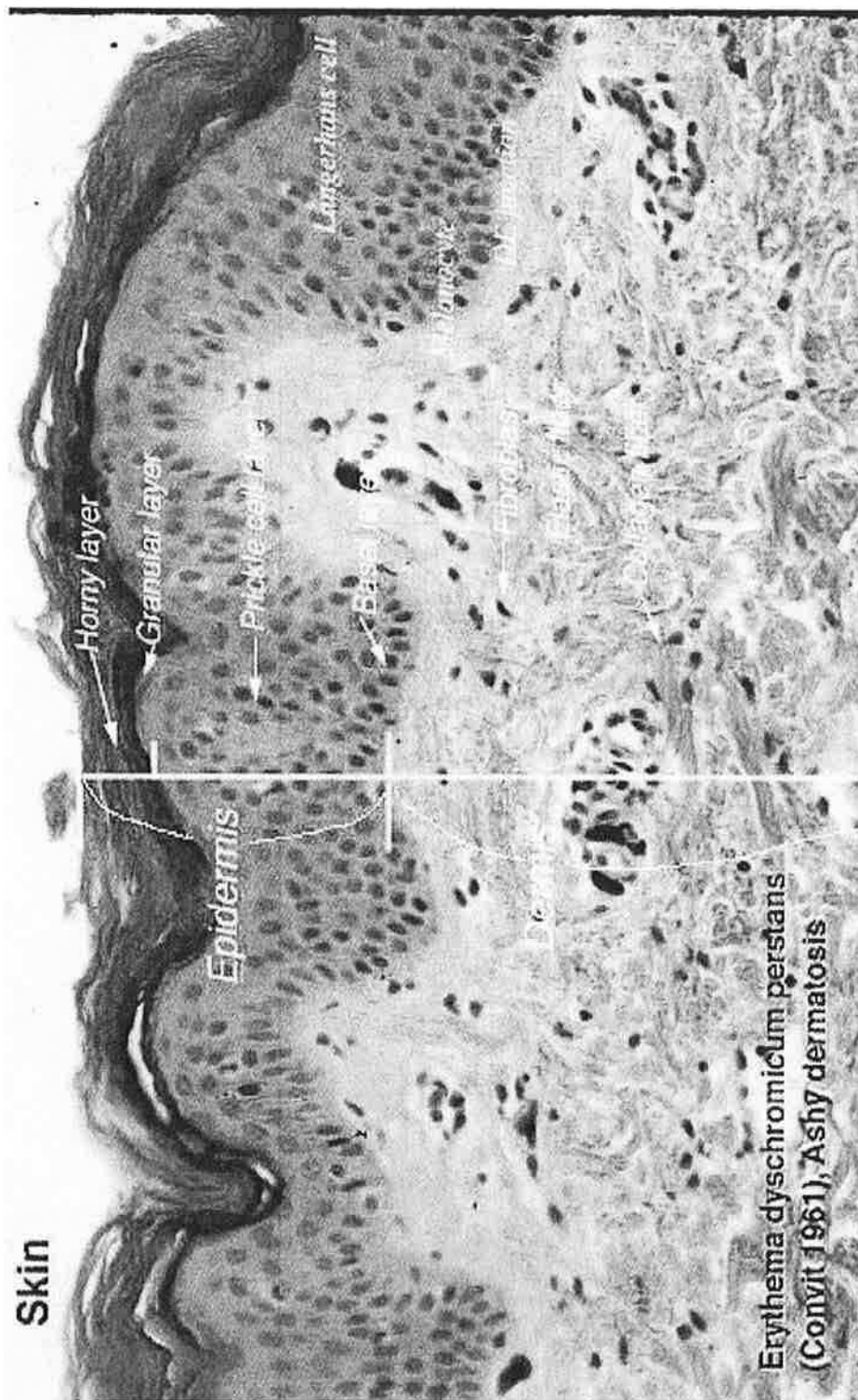


## Restoraderm®

---

- Advanced aqueous-based lipid delivery system for:
  - Treatment of disrupted skin barrier (chronic dry skin)
  - Dermal delivery of drugs
- Unique composition
  - water-based
  - mimics natural skin lipids
  - contains ceramides and lipid precursors
  - promotes synthesis of cholesterol

# Human Skin

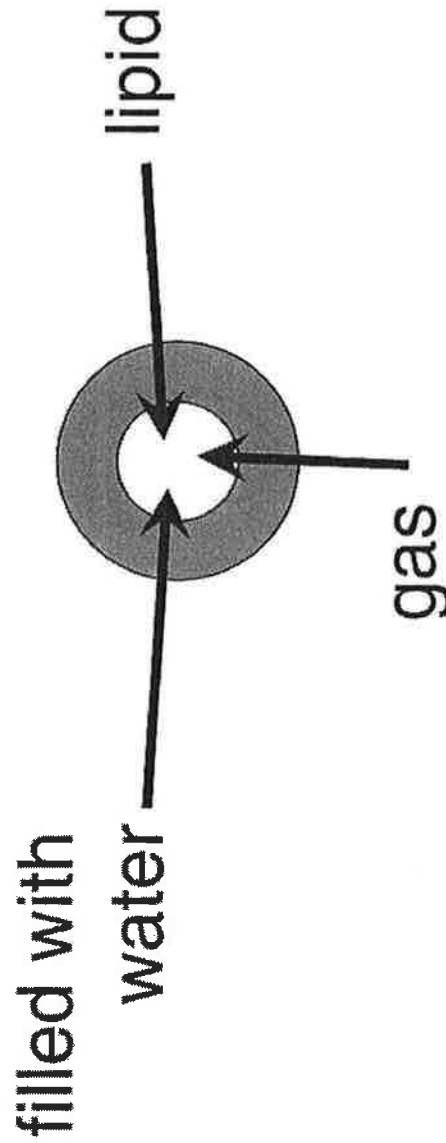


Confidential

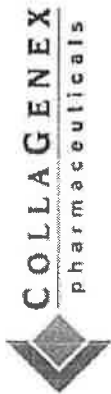
## Restoraderm Is

---

- Combination of three physical properties
  - water - lipid - gas
- Adding lipids to water forms spheres



Confidential



# Restoraderm® MicroCompartment

Aqueous phase

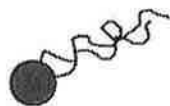
Thickener (Xanthan Gum)  
and  
other components  
(e.g. glycerol)  
  
give the right texture  
and  
skin-feel to the product

Confidential

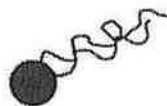


# Lipid Monolayer Gas Spheres

**Phospholipids**



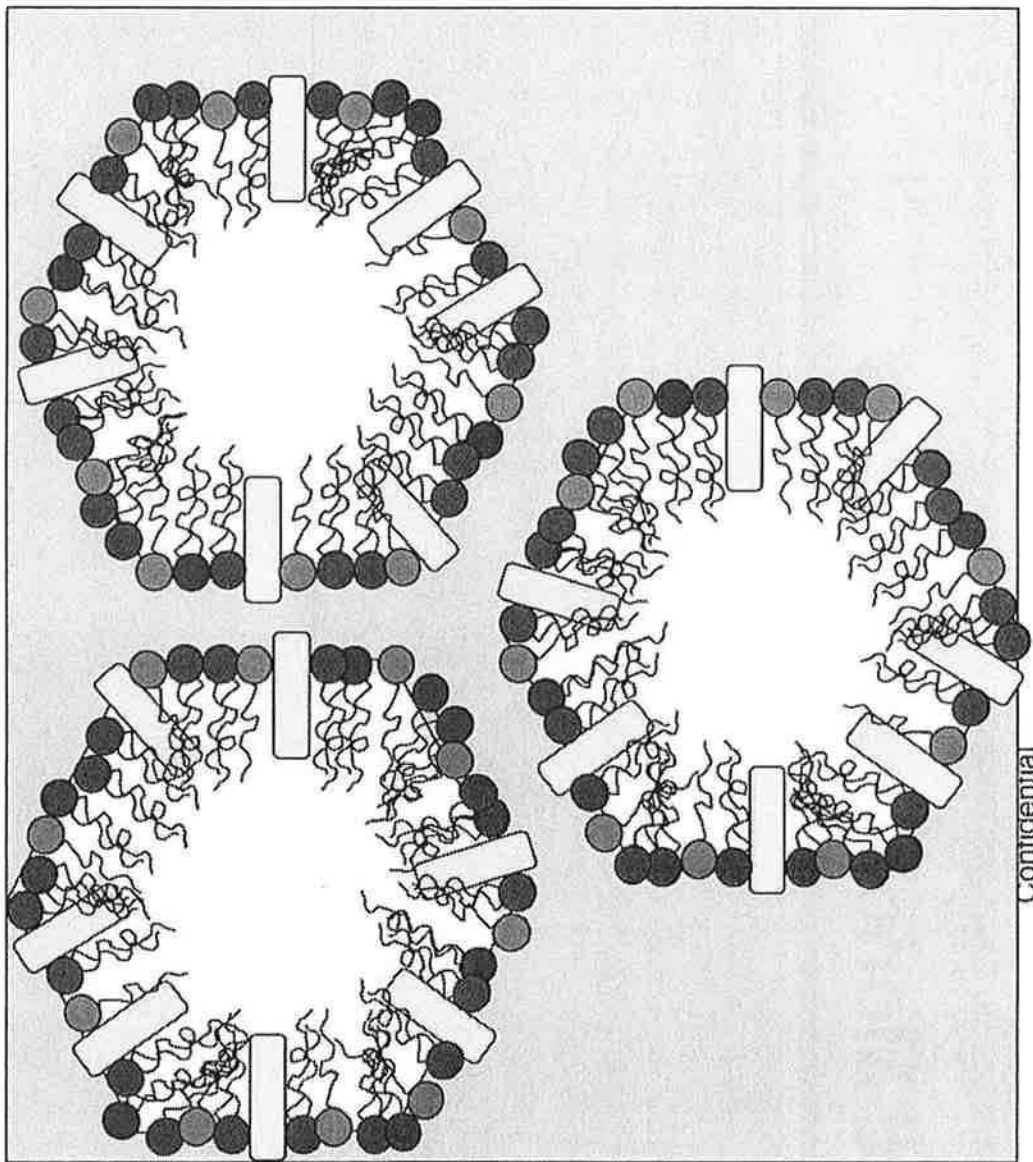
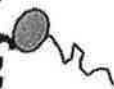
**Ceramides**



**Cholesterol**



**Fatty acid**



Confidential



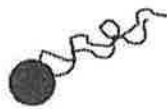


# Lipid Monolayer Spheres

**Phospholipids**



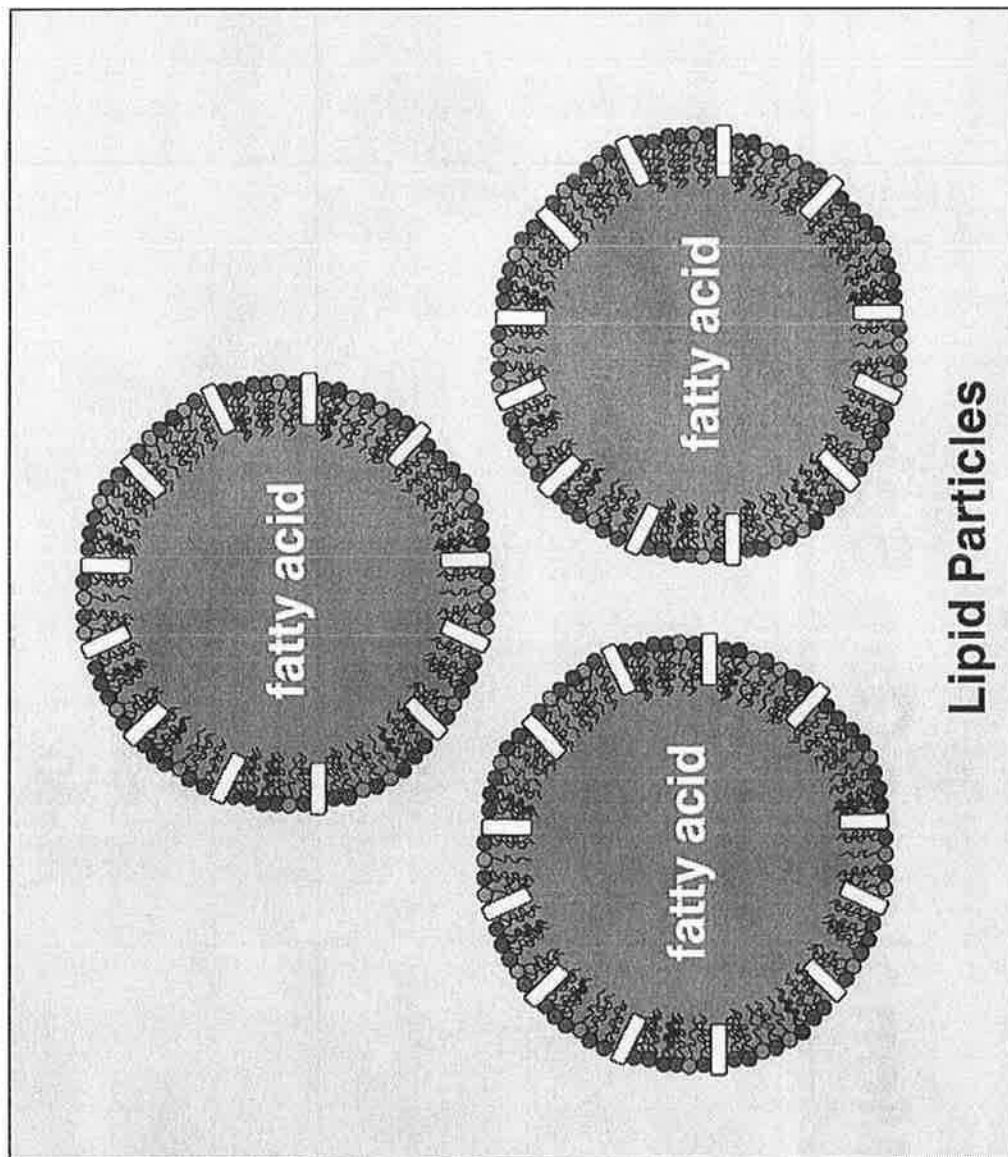
**Ceramides**



**Cholesterol**



**Fatty acid**



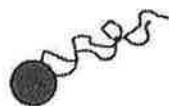
**Lipid Particles**

Confidential



# Lipid Bi-layer Vesicles

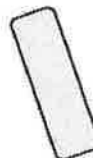
**Phospholipids**



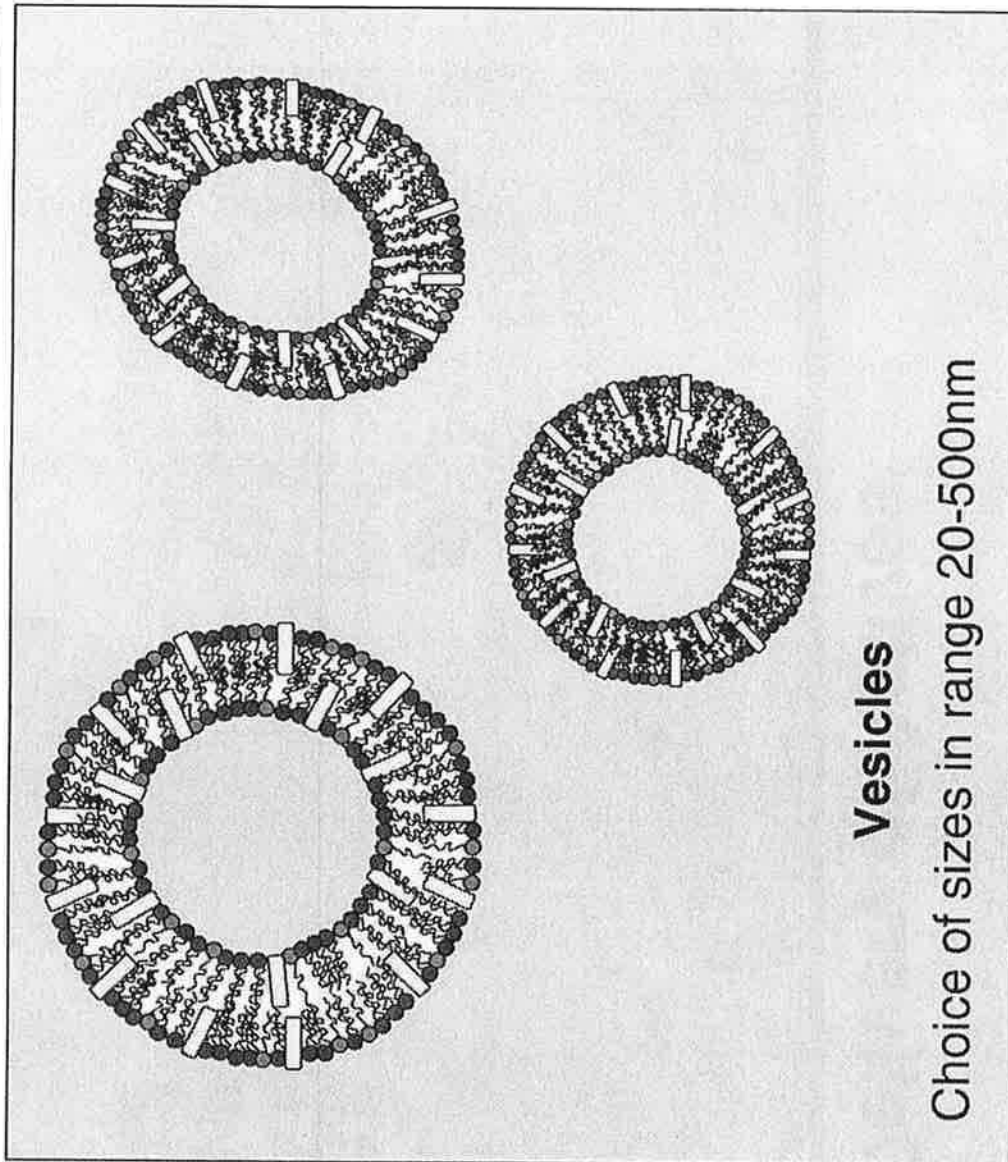
**Ceramides**



**Cholesterol**



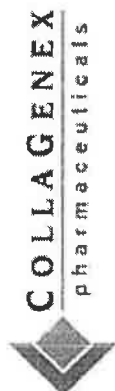
**Fatty acid**



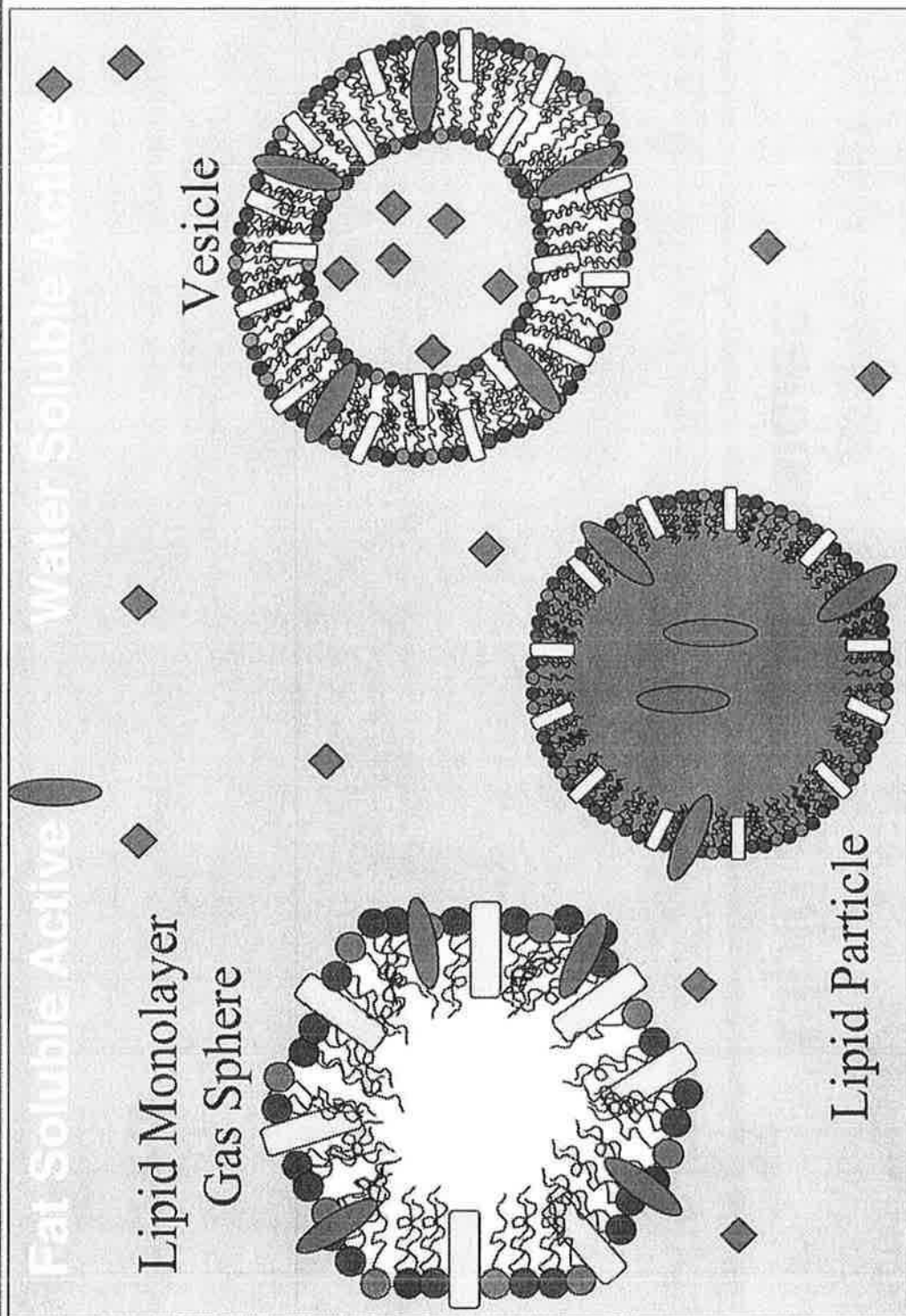
**Vesicles**

Choice of sizes in range 20-500nm

Confidential



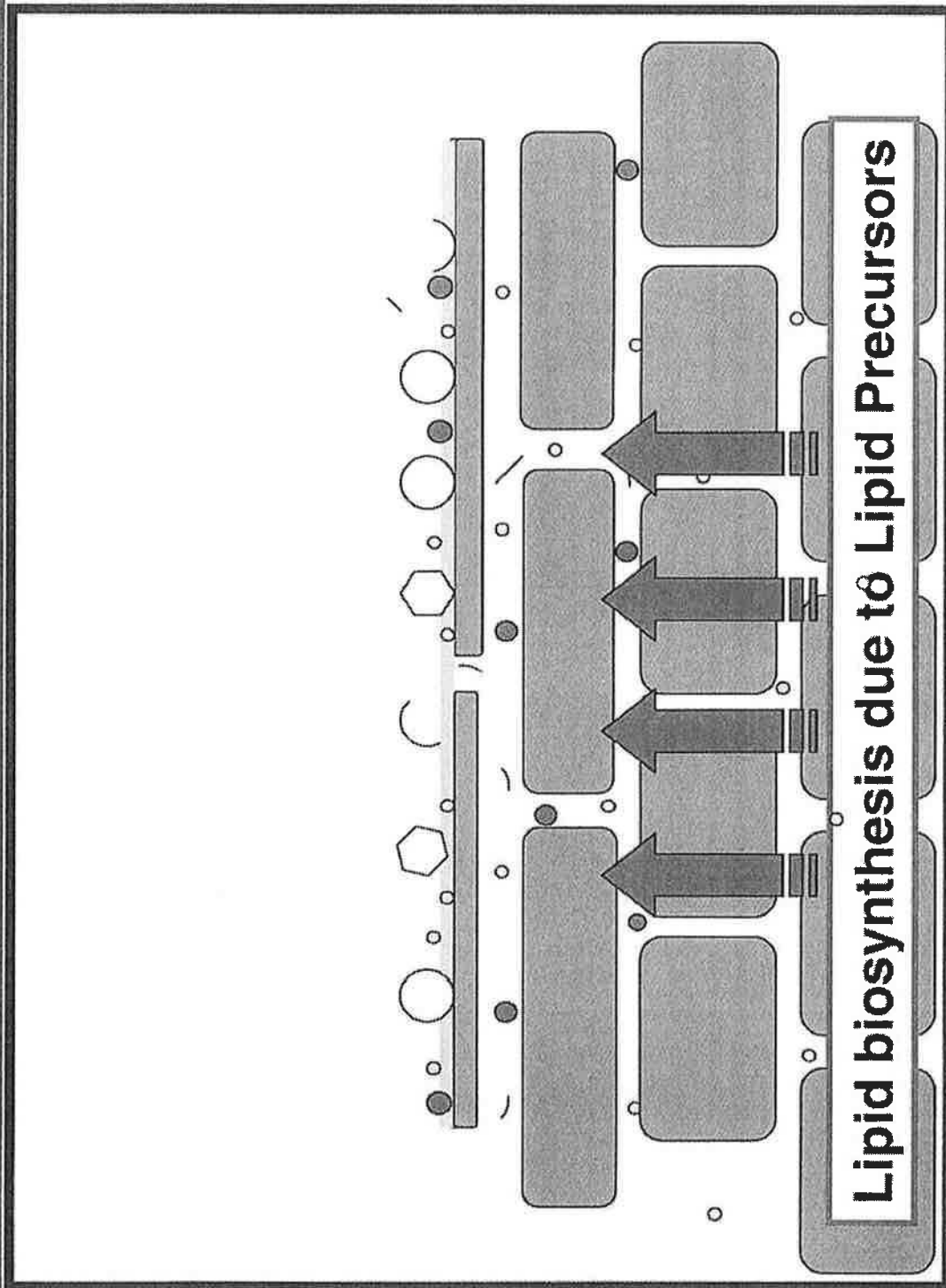
# Delivery of Actives



Confidential



# Restoraderm & Barrier Function Repair



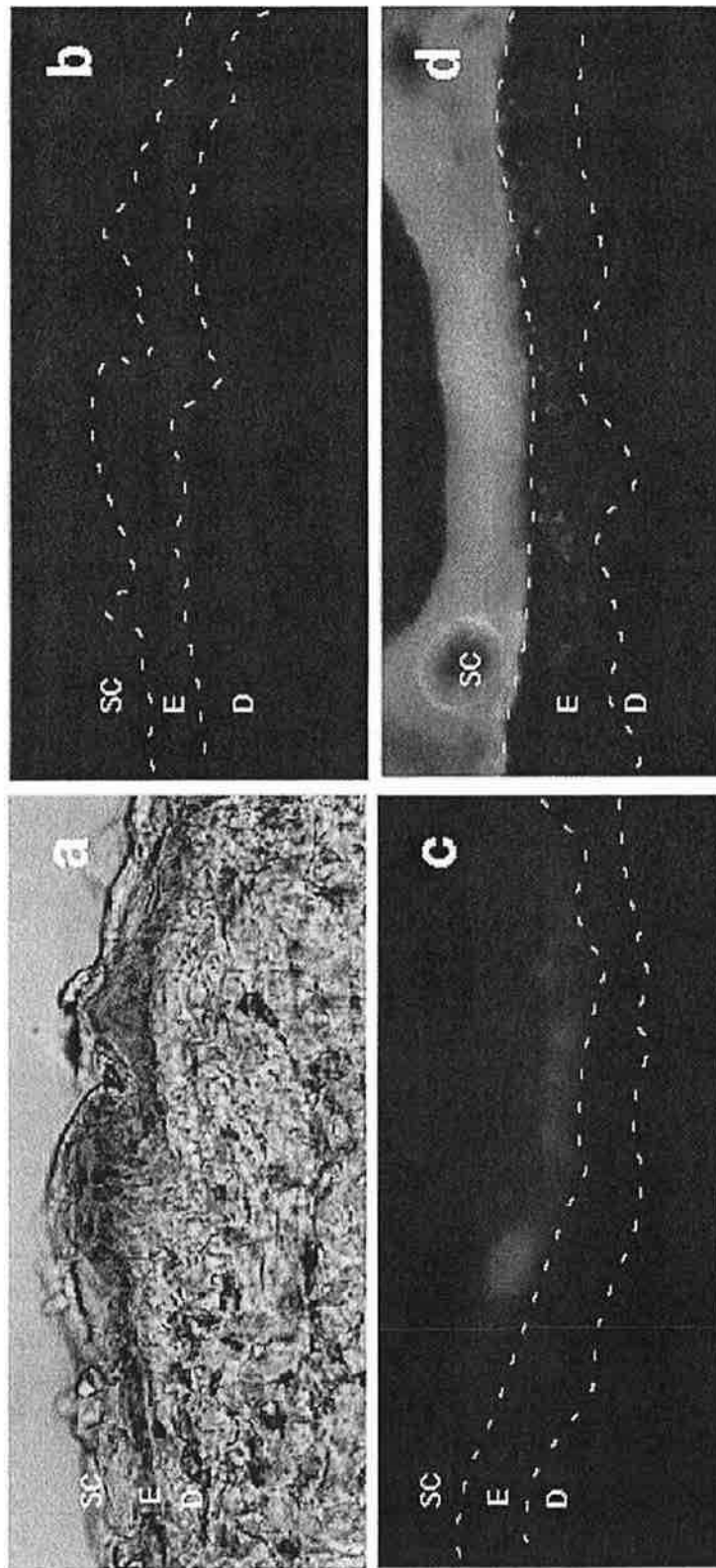
# Ingredients of Olux

## No Barrier Repair Function

<u>Alcohol based foam vehicle ingredients</u>	<u>Function</u>
Clobetasol Propionate .05%	Active
Cetyl Alcohol	Emulsifer/stiffening agent
Citric Acid	Buffering Agent/Chelating Agent
Ethanol (60%)	Vehicle
Polysorbate 60	Emulsifier/solubilizing agent
Potassium citrate	Buffering Agent/Chelating Agent
Propylene Glycol	Humectant, Solvent, emulsifier carrier
Purified water	Solvent/vehicle
Stearyl Alcohol	Stiffening Agent
Aluminum Canister	Package
Hydrocarbon Propane/Butane	Propellant



# Restoraderm® penetrates into viable epidermis



- a - normal skin
- b - normal skin - minimal autofluorescence
- c - vaseline fluorescence in the sc
- d - Restoraderm® fluorescence in epidermis and sc



# **Restoraderm<sup>®</sup> technology:**

## **Use as a drug delivery vehicle**

---

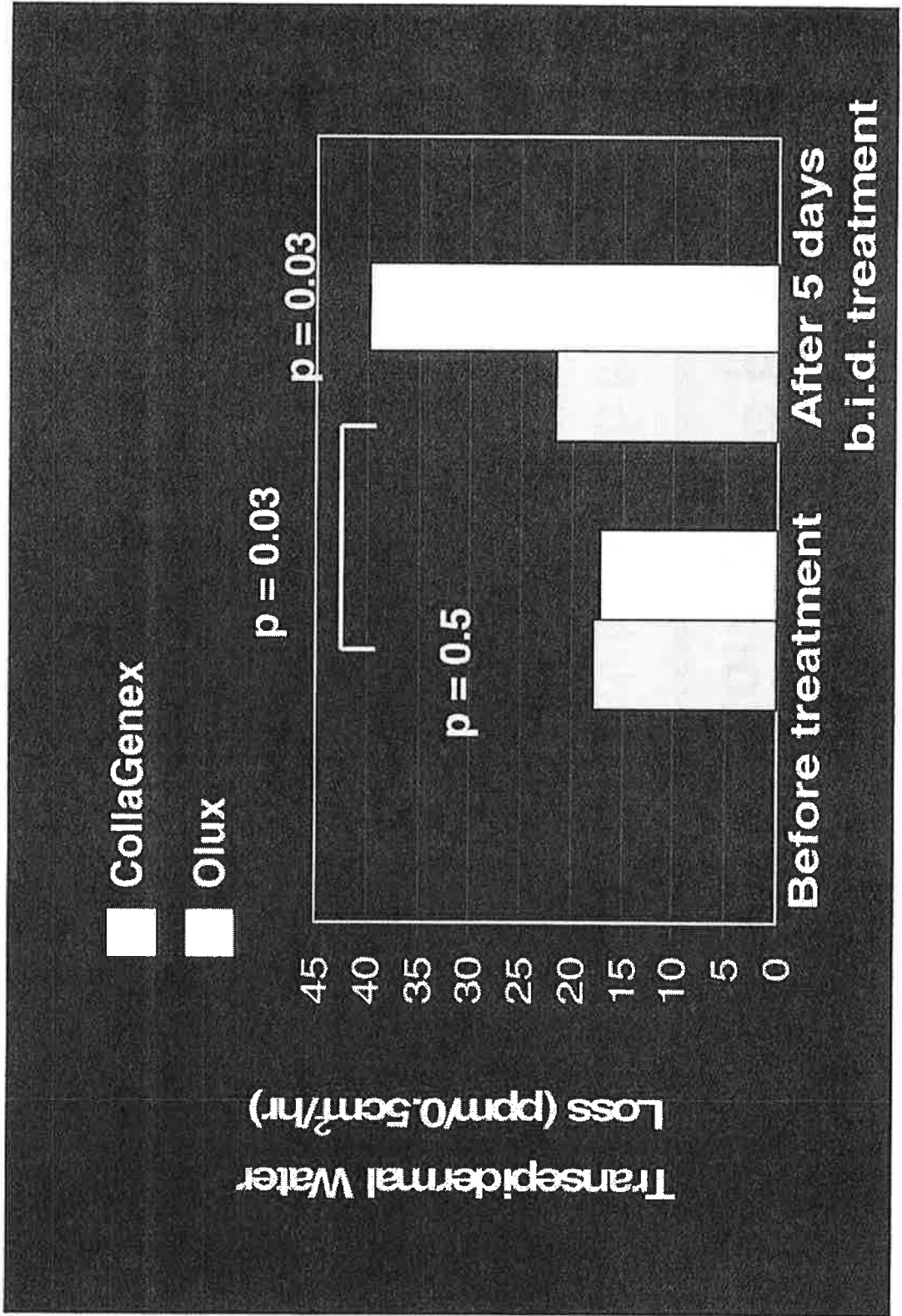
- **Aim:**
  - To determine whether an alcohol-free clobetasol foam (using Restoraderm<sup>®</sup> technology) would be less damaging to the skin barrier than an alcohol-containing foam (Olux<sup>®</sup>).
- **Methods:**
  - Measure TEWL before and after treatment with Restoraderm<sup>®</sup> Clobetasol vs. Olux<sup>®</sup> b.i.d. for 5 days (n = 6).





# Results:

## TEWL Restoraderm® Clobetasol vs. Olux®

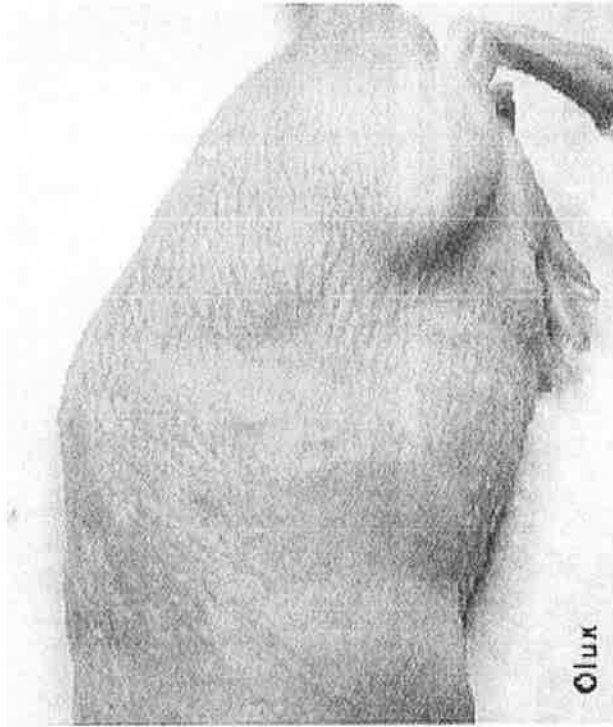






## CollaGenex Restoraderm<sup>®</sup> Foam

- Clobetasol foam is less damaging to the skin barrier (hairless mice) than is Olux<sup>®</sup> foam.
  - The barrier perturbation results in visual changes of the epidermis (dehydration and wrinkling)



Confidential



## Restoraderm® Clinical Studies: Lytra™

### Study 1

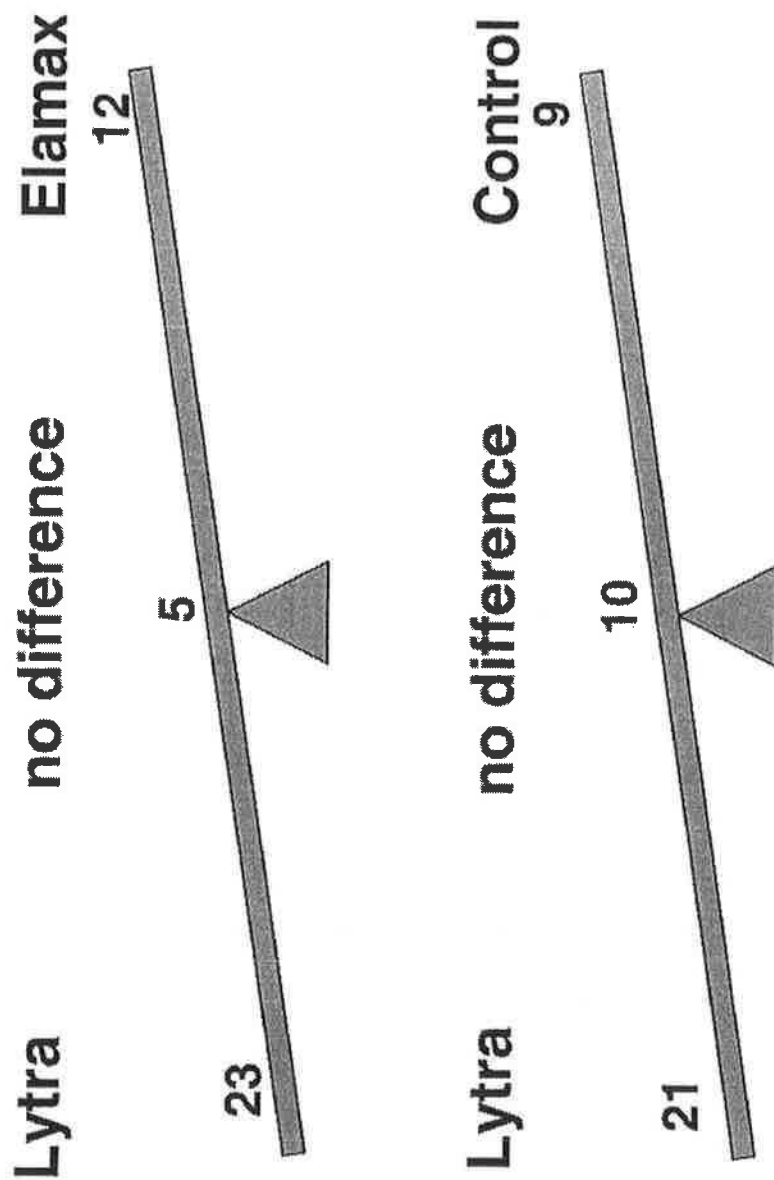
---

- Subjects Tested: 40 adults
- Test sites:
  - Control (no treatment)
  - Lytra™
  - Ela-Max® 4% cream
- Liquid nitrogen
  - 3 second spray,
  - 5cm from skin

Confidential



## Liquid Nitrogen - Less pain with :

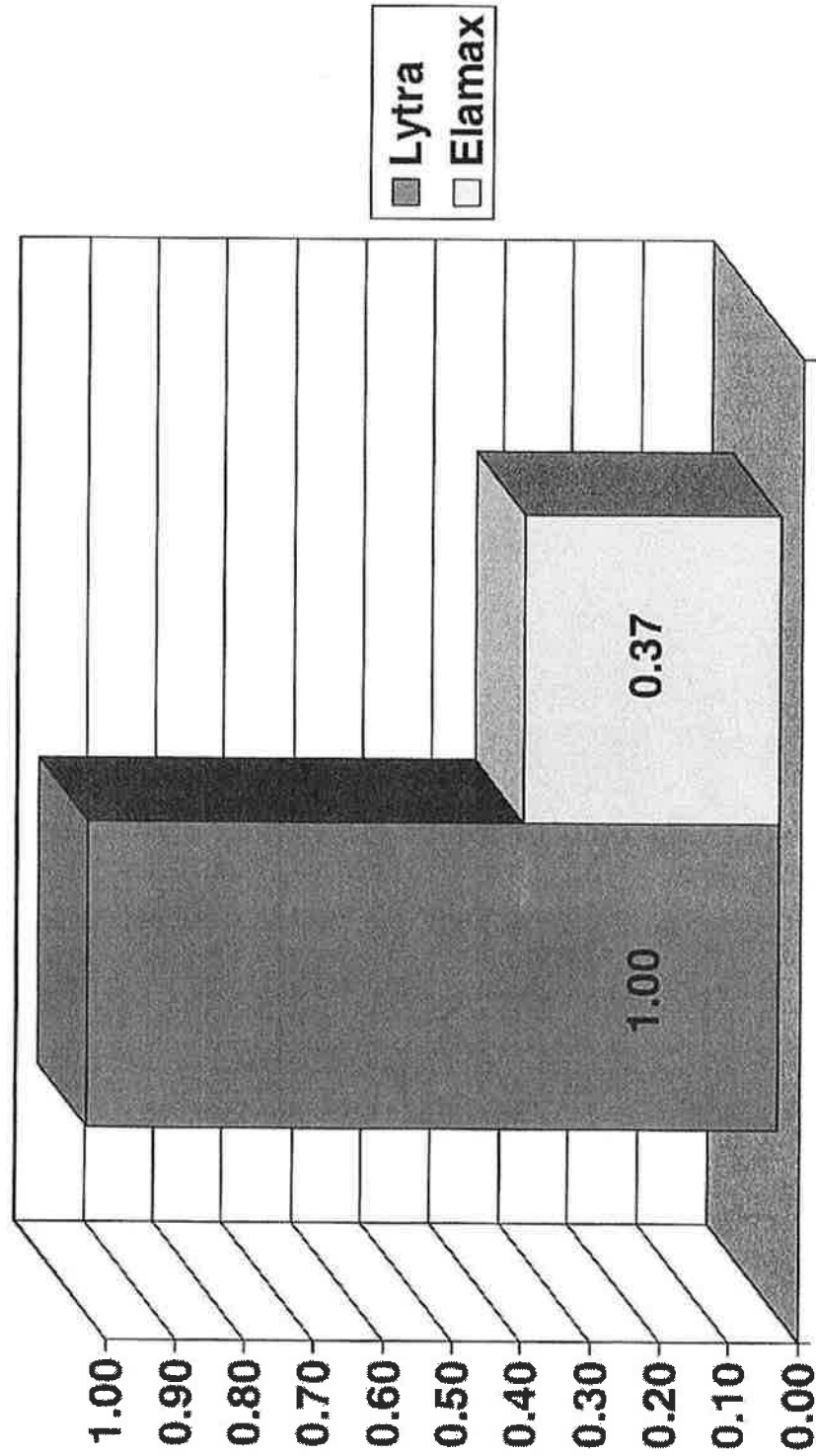


**Conclusion: Lytra™ significantly better than Elamax®**

Confidential



# Reduction in N<sub>2</sub>-Pain Score vs. Control



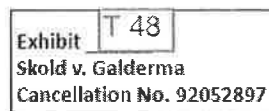
**From:** Jeffrey Day <jday@collagenex.com>  
**Sent:** Thursday, February 14, 2002 3:24 PM  
**To:** Thomas Skold <skold@mbox312.swipnet.se>  
**Subject:** Help!!!!

---

Thomas,  
We have this opportunity (P&G) with the Peptide growth hormone. Do you believe that a peptide can be delivered into the skin in Restoraderm, and do you or Ponsus have experience with this ?  
Jill is pushing for us to meet with P&G, but it would be worthless if you don't think it will work?

Please call me immediately with your comments!

Jeff Day



Public

Patricia Hoeler

From: [REDACTED]  
Sent: Monday, December 06, 2010 11:21 AM  
To: Thomas Sköld  
Subject: Re: SV: Question on restoraderm

Exhibit T 49  
Skold v. Galderma  
Cancellation No. 92052897

Thomas--

Thanks for the information. It seems like Galderma is not using your exact formula for restoraderm, just using the name? It seems from your e-mail below that you feel you can achieve better delivery with a more simple formula. Is that the case? I just want to make sure I understand the basics of your delivery platform as we continue to evaluate it.

I will be interested in your OTC discussions. As you point out, that may be a way to get visibility in the US, although I believe you and I agree that Rx is potentially more valuable.

From: Thomas Sköld <thomas-skold@telia.com>  
To: [REDACTED]  
Sent: Mon, December 6, 2010 5:39:06 AM  
Subject: SV: Question on restoraderm

Dear [REDACTED]

Even though they have not disclosed it all but from what I understand the only lipid used is ceramide (and I imagine an expensive ceramide) together with filaggrin. One of those formulations where you have many, many individual ingredients.

With our lipids (same as in any human cell membrane) and with these structures one does not have to use ingredients with emulsification properties (surfactants).

I have a meeting scheduled for next week to talk to some of the people about [REDACTED] in the US. Nothing will be finalized this side of the year but I might have to decline or confirm in the beginning of next year. I believe the thought is to have derms dispensing these products through their clinics. Done right it could potentially give early credibility to the technology even though I would like to have a minor change between the [REDACTED]

All the best,  
Thomas

Från: [REDACTED]  
Skickat: den 5 december 2010 16:31  
Till: Thomas Sköld  
Ämne: Question on restoraderm

1



Hi Thomas,

I was wondering how the restoraderm formulations for the products you sent me in the last e-mail differ, if at all, from the formulation of restoraderm that is now used in Cetaphil.

Thanks  
[REDACTED]

TradeSecret/CommerciallySensit.

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Från: Jeff Day [mailto:jday@collagenex.com]

Skickat: den 26 januari 2004 18:10

Till: thomas-skold@telia.com

Ämne: Scientific Advisory Board Meeting

**Public**

Thomas,

This is a reminder to start preparing for the upcoming SAB meeting in DC. I really need you to take the lead immediately on this for me, and ensure we are prepared and ready to present at this meeting.

**Goal for meeting:**

1. What is Restoraderm ?

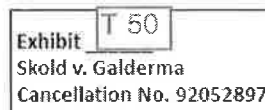
- Delivery Technology
- Current Products
- Future Products

2. How delivery technology is working?

3. How it differs from others on the market?

4. How the dry skin product is working?

5. I want to make sure everyone on the board is up to speed on the updated clinical studies pertaining to Restoraderm ?
- Review of studies
  - What they mean



**How to present?**

- We will only have 30 minutes to run this program, so we really need to review the slides we have, studies we have and materials to present.
- I think it should be a priority for you to have a presentation completed at least one week prior to the meeting

**Go forward Strategy:**

1. Contact Ruby ASAP to find out where she stands with on-going studies?
2. When she will have slides on the studies completed?
3. Conference call set for next week (3 of us) to finalize

Let me know if this is acceptable and when you will start this process? If you have problems getting in touch with Ruby, please call me immediately.

Jeff Day





**Agreed Revised Terms of Skold Agreement**

It is agreed that CollaGenex will have initiated development efforts on at least five potential Restoraderm products before the end of 2005. The first two of these products are the BPO and clobetasol products currently under development.

A Restoraderm Steering Committee will be formed and composed of Skold, including his advisors and designees, and representatives of CollaGenex. The RSC will meet at least annually to review and agree on the products to be developed by CollaGenex and on the development plan for each product. Members of the RSC will be apprised on all facets of the ongoing development of products and will be consulted in the event of unexpected difficulties or challenges in developing the products. The final decision on the products chosen for development will be CollaGenex's. Following agreement on the products to be developed, a development plan will be written and distributed to all members of the RSC for approval prior to launching the development.

It is agreed that Skold will be paid milestones on each of three stages of development for each product. These phases are:

1. Pilot stability. For each product to be developed, Skold will be paid a milestone when the initial formulation is demonstrated to be stable for six months. The milestone will be payable within 30 days of the submission of the stability data in a form acceptable to CollaGenex. The milestone payment will be [REDACTED]. CollaGenex will pay for the direct costs incurred to develop the initial formulation, including the costs of materials, access to laboratory space, technical and scientific expertise, and stability testing. However, CollaGenex will not be obligated to spend more than [REDACTED] the pilot stability phase in order to satisfy the five-product requirement. If more than [REDACTED] is required to achieve pilot stability, CollaGenex reserves the right to abandon the product. (In every phase and for each product, CollaGenex reserves the right to abandon a product, but if the spending minimums are not achieved the product will not count towards the five).
2. Clinical batch stability. For each product to be developed, Skold will receive a milestone upon the completion and demonstrated stability of clinical batches of the product. The clinical batches must be manufactured under GMP conditions and stability must be determined based on a 12 months of data at a pre-specified temperature. CollaGenex will fund the cost of this phase of the development up to [REDACTED] for each product. Same as above. Milestone fee payable same as above - [REDACTED]
3. Technology transfer to a commercial GMP facility. For each product to be developed, Skold will receive a milestone payment following the manufacturing and 12-month stability at a pre-specified temperature of 3 batches of product produced in accordance with NDA requirements, irrespective of whether it is intended that an NDA will be filed for such product. There is no minimum funding requirement for this phase. Milestone fee payable same as above - [REDACTED]



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Additional Fees to Skold:

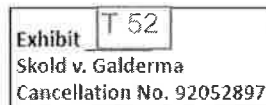
██████ within 30 days of signing of amended agreement.

██████ payable January 31, 2005

██████ payable within 30 days of the issuance of a patent covering the Restoraderm technology so long as such issuance occurs after the commercial launch of at least one product. If a patent issues prior to the commercial launch of a first product, such fee will be payable within 30 days of the commercial launch of the first product.

Royalties -- ██████ net sales of all products developed using the Restoraderm technology

Consulting agreement – provide consulting services, including provision of technical skills needed to do formulation work. Extend to 2007. ██████ annually plus expenses.



Från: Jeff Day [mailto:jday@collagenex.com]

Skickat: den 15 juli 2004 04:34

Till: Thomas Sköld

Ämne: Good News

Thomas,

I met William Abramovitz, MD tonight, and we talked in depth about Restoraderm. He has done a lot of work with Ferndale on their (Locobase) Nouriva product for the US. He does write articles on dry skin and related diseases. He thinks he has an expertise in Barrier Function and ceramides. I am not sure he really is the expert he thinks he is, but that really doesn't matter.

He really likes our technology, especially for dry skin. He is lecturing at the Caribbean Derm meeting this year, and is speaking on ceramides. He did say he would add Restoraderm to the lecture.

What we need to do:

- He is very interested in talking to you to learn more of the science of Restoraderm (ingredients/function of ingredients/what it does to skin....).
- You need to educate him on:
  - o Your experience in this market
  - o People you are/have dealing with; Bo/Ruby/Jim/Joe....
- Educate him on our technology
- Provide him with studies and data
- Provide him with data on our product
- Get him involved with the project? (he is a paid consultant for CollaGenex)
- Provide things for the lecture (so we get exposure)

Do you think you can talk with him? If so, I will send you his contact information? If so, why don't we talk about this to better prepare!

Note: I will be meeting Ruby next week; have you spoken with her lately? What is the latest?

Abramovitz is a very influential dermatologist and has access to many journals!

Jeff Day



**Från:** Lynne Nelson [mailto:lynne.nelson@ranbaxy.com]

**Skickat:** den 8 september 2004 22:22

**Till:** thomas-skold@telia.com

**Kopia:** Jeff Day; Deborah McRonald

**Ämne:** FW: Collagenex - Restoraderm

Exhibit T 53  
Skold v. Galderma  
Cancellation No. 92052897

Dear Mr. Skold:

Per our conversation, I would like to confirm your participation in the teleconference scheduled for Thursday, September 9<sup>th</sup> at 9:00 am (EST), 3:00 pm your time. We will initiate the call to +46 17 622 4400.

Below is some information regarding the meeting/teleconference. The participants from Ranbaxy are:

Chuck Caprariello - Vice President, Business Development

Deborah McRonald - Associate Director, Business Development

Bikram Malik - Business Development Analyst

Jeff Thomas - Vice President, Sales and Marketing, Brand Division

Kevin Kaul - Executive Director, Brand Division

Ashish Anvekar - Associate Director, Brand Division

Kathleen Spreen - Executive Director - Medical and Clinical Affairs, Brand Division

Russell Senyk - Director, Global Products, International Marketing Development

Please let me know if you have any questions.

Best regards,

Lynne Nelson

Business Development Assistant

-----Original Message-----

**From:** Deborah McRonald

**Sent:** Friday, September 03, 2004 3:28 PM

**To:** Ashish Anvekar; Thomas Atkins; Chuck Caprariello; Kevin Kaul; Bikram Malik; Russell Senyk; Kathleen Spreen; Jeffrey Thomas

**Cc:** Claudia Hoffman; Dana Rosen; Lynne Nelson

**Subject:** Collagenex - Restoraderm

Dear Colleagues:

Attached please find a copy of a presentation provided by Collagenex to aid our discussions about the Restoraderm platform with the inventor Thomas Skold.

Also attached, please find the agenda for our meeting/teleconference.

The inventor of the technology, Thomas Skold, will be joining us via teleconference or videoconference. The attendees on behalf of Collagenex, as listed below, will be coming to meet with us in person at our offices:

Public



Jeff Day, VP, Dermatology

Greg Ford, VP, Business Development

John McPartland, Director of Manufacturing

Klaus Theobald, Sr. VP, & Chief Medical Officer

Brad Zerler, VP, Research

I look forward to a productive discussion and progression of this opportunity.

Warm regards, Deborah

<<Collagenex - Restoraderm.pdf>> <<CollaGenex-Agenda 9-9-04.doc>>

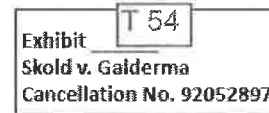
**Public**

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~~CONFIDENTIAL~~

CollaGenex/Ranbaxy – September 9, 2004 Teleconference re Restoraderm

- Review of Restoraderm Technology Platform
- Impact of Restoraderm Formulation (without actives) on Skin during Administration
- Comparison of Restoraderm Foam vs. Existing Foam Products
- Restoraderm – Stability, Manufacturing Process, Current/Future Place of Manufacture & Technical Transfer
- R&D Experience Working with Hormones in the Restoraderm Platform, Particularly Testosterone
- Testosterone and Potential Viability in the Restoraderm Platform
- Discussion of Feasibility and Next Steps



-----Ursprungligt meddelande-----

Från: Greg Ford [mailto:gford@collagenex.com]

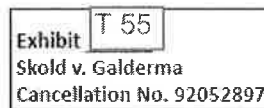
Skickat: den 26 oktober 2004 19:19

Till: Skold, Thomas

Kopia: Klaus Theobald

Ämne: Restorderm

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Thomas,

Just had an excellent meeting w/Art at Galderma. I need to have some small samples of Restonaderm foam (w/ no active) to give to Art and to have for discussions with others. Would you please make some up and send to me? How long will this take?

Regarding Aruba, I will go. Please send details.

Thanks,

Greg

-----  
This message and any included attachments are from CollaGenex Pharmaceuticals and are intended only for the addressee(s). The information contained herein may include trade secrets or privileged or otherwise confidential information. If you received this message in error, or have reason to believe you are not authorized to receive it, please promptly delete this message and notify the sender by e-mail with a copy to [itsupport@collagenex.com](mailto:itsupport@collagenex.com). Unauthorized review, forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. Thank you.

**Public**





-----Original Message-----

From: Greg Ford  
Sent: Thursday, November 18, 2004 12:41 PM  
To: Thomas Skold (thomas-skold@telia.com)  
Cc: Klaus Theobald; Brad Zerler; John McPartland  
Subject: FW: restoraderm/cetaphil

Exhibit T 56  
Skold v. Galderma  
Cancellation No. 92052897

Thomas,  
When will you be able to supply me with more samples? See below.  
Best,  
Greg

-----Original Message-----

From: CLAPP, Art [mailto:art.clapp@galderma.com]  
Sent: Thursday, November 18, 2004 9:26 AM  
To: Greg Ford  
Subject: RE: restoraderm/cetaphil

Hi Greg,

Is it possible to get some more moisturizing foam samples. I would like to send some out to a couple of derms for some input. Is it possible to get 6 to 12 units? Actually could use more if you can spare them.





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Do you have any clinical data for the vehicle to support its moisturizing ability and benefits on the skin(trans epidermal water loss, tolerability, lack of sensitization, penetration.....)

Thanks

Art

Arthur Clapp  
V.P.Business Development & Strategic Planning  
Galderma Laboratories, L.P.  
14501 N. Freeway  
Ft. Worth, Texas 76177  
Tel: (817) 961 5005  
Fax: (817) 961 0035  
Email:art.clapp@galderma.com

-----Original Message-----

From: Greg Ford [mailto:gford@collagenex.com]  
Sent: Thursday, November 11, 2004 2:14 PM  
To: CLAPP, Art  
Cc: TESORIERO, Michael  
Subject: RE: restoraderm/cetaphil

Art,  
I am still trying to determine this. I will be traveling on Monday/Tuesday and will hopefully get the answer then. Did you get the sample?  
Greg

-----Original Message-----

From: CLAPP, Art [mailto:art.clapp@galderma.com]  
Sent: Monday, November 08, 2004 6:53 PM  
To: Greg Ford  
Cc: TESORIERO, Michael  
Subject: RE: restoraderm/cetaphil

Greg,

I beleive the bigger the better as it will be designed for large surface areas. I would suggest an 8 oz and even a 16oz container. What is the Largest size you can make?

Art

Arthur Clapp  
V.P.Business Development & Strategic Planning  
Galderma Laboratories, L.P.  
14501 N. Freeway  
Ft. Worth, Texas 76177  
Tel: (817) 961 5005

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Fax: (817) 961 0035  
Email: art.clapp@galderma.com

-----Original Message-----

From: Greg Ford [mailto:gford@collagenex.com]  
Sent: Monday, November 08, 2004 2:04 PM  
To: CLAPP, Art  
Subject: FW: restoraderm/cetaphil

Art,  
This continues to bounce back to me. Would you please forward to Mike?  
Thanks,  
Greg

-----Original Message-----

From: Greg Ford  
Sent: Monday, November 08, 2004 3:03 PM  
To: TESORIERO, Michael  
Cc: CLAPP, Art  
Subject: RE: restoraderm/cetaphil

Mike,

Also, what should I assume to be the size container, e.g., 6 oz?

Thanks,

Greg

---

From: TESORIERO, Michael [mailto:michael.tesoriero@galderma.com]  
Sent: Monday, November 08, 2004 2:50 PM  
To: Greg Ford  
Cc: CLAPP, Art  
Subject: RE: restoraderm/cetaphil

Greg,

Regarding volumes for a new Cetaphil product we feel that a very rough

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estimate would be

Year 1 = ~100,000 units

Year 2 = ~400,000 units

Max annual potential = ~1,000,000 units

Again, these are rough estimates.

Let us know if you have further questions,

MT...

Mike Tesoriero...

Manager Business Development & New Product Mgmt

Galderma USA

817-961-5006

-----Original Message-----

From: Greg Ford [mailto:gford@collagenex.com]

Sent: Wednesday, November 03, 2004 2:21 PM

To: CLAPP, Art

Subject: restoraderm/cetaphil

Art,

Another item.... I need a rough estimate of volumes that I could pass along to the 3rd party manufacturer that I am discussing commercial COG's. Obviously, this would not in anyway be a commitment, but what volumes should I tell them that could be required in order to get an estimated cost of goods?

Thanks,

Greg

Greg Ford

VP, Business Development & Strategic Planning

Collagenex Pharmaceuticals, Inc.

gford@collagenex.com

ph: 800-613-7847 x3120

size=2 width="100%" align=center>

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Från: CLAPP Art [mailto:art.clapp@galderma.com]  
Skickat: den 16 mars 2009 23:33  
Till: Thomas Sköld  
Ämne: RE: Restoraderm

Exhibit T 57  
Skold v. Galderma  
Cancellation No. 92052897

Hi Thomas,

We had a meeting last week here in Ft Worth with our Legal and R&D group and they are working on the proposal. Once the draft is finalized it will have to go through the circulation process.

Talk to you soon,

Art

*Art Clapp  
VP Business Development*

*Galderma Laboratories, L.P.  
14501 North Freeway  
Fort Worth, TX 76177  
Phone: 817-961-5005  
Fax: 682-831-9002  
Email: art.clapp@galderma.com*

---

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Tuesday, March 10, 2009 6:39 AM  
To: CLAPP Art  
Subject: Restoraderm

Good morning Art,

I imagine you are back home again from the AAD meeting. I decided not to go this year for obvious reasons but hope to attend next year. I hope this was a good one for you.

I was wondering if you ever heard back from your patent people about the Restoraderm application. Fairly soon it is 12 months since you abandoned the application, which is always at some risk so I like to be reassured that Galderma is on top of the situation.

I'm about to leave for Verbier again but will do a little bit of work every morning before climbing the mountains.

Let me know where you are in the whole process.

All the best,  
Thomas



Från: CASSADY Quintin [mailto:quintin.cassady@galderma.com]

Skickat: den 22 juni 2009 18:32

Till: Thomas Sköld

Ämne: RE: Restoraderm

Exhibit	T 60
Skold v. Galderma	
Cancellation No. 92052897	

Thomas:

9am US CST is good for me. I am not sure your time zone, but that would be 4pm in France. If that works for you, I will call you then. If Art is available, I will try to have him join us. Let me know.

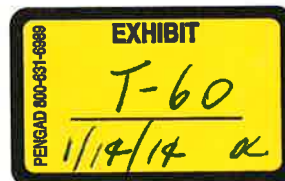
Best regards,

Quintin

**Public**

Quintin Cassady  
Vice President and General Counsel  
Galderma Laboratories L.P.  
14501 North Freeway  
Fort Worth, TX 76177  
(817) 961-5003 (office)  
(817) 905-5272 (cell)  
(817) 961-0034 (fax)  
[quintin.cassady@galderma.com](mailto:quintin.cassady@galderma.com)  
[www.galdermausa.com](http://www.galdermausa.com)

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Från: DE BRUYNE Chris [mailto:Chris.DEBRUYNE@galderma.com]  
Skickat: den 14 juli 2010 15:02  
Till: Thomas Sköld  
Ämne: RE: Licensing Option agreement

Exhibit	T 62
Skold v. Galderma	
Cancellation No. 92052897	

Dear Thomas,

Last week I was in US with our US colleagues and after internal consideration, Galderma has made the decision that moving forward with a new agreement with you is not a strategic fit for the company at this time.

Finally, you did not communicate when we last met that you had filed two applications before the USPTO for RESTORADERM LIPOGRID [SN 85037362] and EASED ON RESTORADERM LIPOGRID TECHNOLOGY [SN 85037342]. Galderma has filed oppositions to these applications to protect our interests.

So as a conclusion I propose that if you have any lingering questions about the agreement that was terminated in November 2009, please contact [quintin.lassady](mailto:quintin.lassady@galderma.com).

Nevertheless it was nice discussing with you on the above topic, and I wish you all the best in the future.

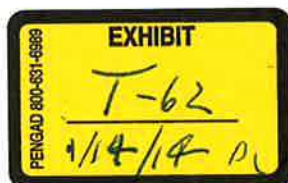
Best regards,  
Chris

*Chris De Bruyne*

*Galderma International*

*Director, Licensing & Alliance Management*

*F 92927 LA DEFENSE Cedex France*



Tel: +33 1 58 86 46 64

Fax: +33 1 58 86 44 58

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E mail: [chris.debruyne@galderma.com](mailto:chris.debruyne@galderma.com)



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---

From: Thomas Sköld (<mailto:thomas-skold@telia.com>)  
Sent: Monday, May 31, 2010 11:02 AM  
To: DE BRUYNE Chris  
Subject: Licensing Option agreement

Dear Chris,

First I would like to thank you for a good meeting and a very pleasant lunch last Thursday.

Looking at the errors in patent applications (amended PCT) which resulted in that Galderma didn't evaluate the technology as a delivery system and instead conducted in vitro studies as a moisturizer it is clear that with a patent issued Galderma would see things very different. Therefore I believe a structure which we talked about would benefit both parties and could potentially be very profitable. It needed both Jenny from Vereenigde and Art from Mosel IP Law Group will be available for a discussion about its potential. We have not been able to find any prior art using both these structures or any other IP that can control drug release without changing composition. Therefore I am comfortable in achieving an IP and it is merely a question of time to work the amendments through. A drug delivery IP comprising all skin lipids can only be regarded as something valuable (where novelty and uniqueness will be based on structures and delivery results of those).

Enclosed please find thoughts and clarifications regarding both trademark and a potential option agreement.

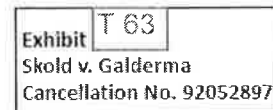
With this we can focus on an option agreement rather than arguing about the past. It makes it so much simpler especially for you and I strongly believe it will end up being a profitable arrangement as well. With an agreement I will sign off on that there are no outstanding issues in regards to Collagenex (agreement) and our agreement on trademarks clearing Galderma from future problems in this regard.

I look forward hearing back from you in a near future.

All the best,  
Thomas



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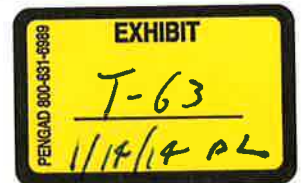


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## **Cetaphil® Brand Launches Cetaphil® Restoraderm® -- a new Line of Products to Help Soothe the Symptoms of Eczema and Atopic Dermatitis**



### **Introducing Cetaphil® Restoraderm® Skin Restoring Body Wash and Skin Restoring Moisturizer Specially Formulated for the Management of Eczema and Atopic Dermatitis**

FORT WORTH, Texas, Sept. 14 /PRNewswire/ -- The Cetaphil® brand, the #1 dermatologist-recommended brand of cleansers and moisturizers today announced the launch of Cetaphil® Restoraderm® products, formulated specifically for the needs of eczema and atopic dermatitis skin. Cetaphil® Restoraderm® Skin Restoring Body Wash and Skin Restoring Moisturizer soothes itching associated with skin affected by eczema and atopic dermatitis. Both products enhance the skin's ability to restore hydration and help repair the epidermal barrier as part of a dermatologist-recommended daily routine for the management of eczema.

Symptoms of eczema include severe itching, scratching, bleeding skin and sleep disturbance. The most common form of eczema is atopic dermatitis, a disorder of the skin's immune system that most often appears in infancy. Up to 85% of children are diagnosed with eczema before the age of 5. The discomfort of eczema can be particularly distressing for children who are irritable, want to be held and experience pain while being bathed. Their parents are also affected by the emotional demands these children may have.

"Cetaphil Restoraderm Moisturizer and Body Wash have been awarded the National Eczema Association Seal of Acceptance," says Julie Block, President & CEO of the National Eczema Association. "The Seal of Acceptance is awarded to products that have been created or intended for use by persons with eczema or severe sensitive skin conditions," adds Block.

Click here to hear board-certified dermatologist Dr. Doris Day discuss the common skin condition eczema and skin care tips to help manage symptoms if you or someone you know is a sufferer.

People suffering with eczema and atopic dermatitis lack the production of natural moisturizing factors that serves as a barrier against viruses and bacteria and may have a deficiency in ceramides which hold skin cells together to form a healthy skin barrier. The lack of

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natural moisturizing factors and ceramides is what may exacerbate eczema and atopic dermatitis symptoms, leaving the skin dry, itchy and painful.

"As the leader in the dermatology category, Galderma is committed to advancing options for the management of eczema and atopic dermatitis and other skin conditions that can have a significant emotional and physical impact on sufferers," says Francois Fournier, President of U.S. & Canadian operations of Galderma Laboratories.

Cetaphil® Restoraderm® skin care products work to help restore the skin's natural ability to retain moisture utilizing exclusive Filaggrin Technology™. The Skin Restoring Moisturizer is the only product on the market to contain a unique combination of filaggrin breakdown products and ceramides which help restore natural moisturizing factors in the skin and help rebuild a healthy skin barrier. The Skin Restoring Body Wash contains the unique Miracare® technology which works to replenish moisture, restore filaggrin breakdown products and rebuild lipid bilayer during bathing.

Both products are intended to fit into the dermatologist-recommended daily management for eczema. Patients are advised to take lukewarm baths using Cetaphil® Restoraderm® Skin Restoring Body Wash, followed by the application of a Cetaphil® Restoraderm® Skin Restoring Moisturizer to the still-damp skin to help retain and replenish the moisture.

Cetaphil® Restoraderm® products extend the Cetaphil® brand into disease-specific collections of products and builds upon a legacy of being the #1 recommended brand of cleansers and moisturizers by dermatologists. Learn more about Cetaphil® products and join the Cetaphil Skin Care Club™ by visiting [www.cetaphil.com](http://www.cetaphil.com).

### About Galderma

Galderma, created in 1981 as a joint venture between Nestle and L'Oreal, is a fully-integrated specialty pharmaceutical company dedicated exclusively to the field of dermatology. The Company is committed to improving the health of skin with an extensive line of products across the world that treat a range of dermatological conditions with a research and development center in Sophia Antipolis, France. Galderma has one of the largest R&D facilities dedicated exclusively to dermatology. Leading worldwide dermatology brands include Differin®, MetroGel® 1%/Rozex®, Clobex®, Tri-Luma®, Loceryl®, Vectical®, Epiduo® Gel and Cetaphil®. For more information on Galderma, visit [www.galdermaUSA.com](http://www.galdermaUSA.com).

### About Cetaphil®

The family of Cetaphil® Cleansers and Moisturizers is a line of dermatologist-recommended skin care products specially formulated for all skin types and conditions. Cetaphil® products are developed to provide effective, gentle skin care and include: Cetaphil® Gentle Skin Cleanser, Cetaphil® Daily Facial Cleanser, Cetaphil® Gentle Cleansing Bar, Cetaphil® Antibacterial Gentle Cleansing Bar, Cetaphil® Moisturizing Lotion, Cetaphil® Moisturizing Cream, Cetaphil DailyAdvance Ultra Hydrating Lotion®, Cetaphil® Daily Facial Moisturizer SPF 15, Cetaphil® UVA/UVB Defense SPF 50, Cetaphil® Therapeutic Hand Cream. [www.cetaphil.com](http://www.cetaphil.com).

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TRADE SECRE

SENSITIVE - Initial Disclosure

Från: Thomas Sköld [mailto:thomas-skold@telia.com]  
Skickat: den 22 mars 2010 16:49  
Till: [REDACTED]  
Ämne: SV: Contact

Dear [REDACTED]

I would be delighted to!

At what time suits you best? Please call me then on [REDACTED]

I have enclosed for your review some information about the technology that we don't need a CDA for as I see it.

I look forward talking to you tomorrow,  
Thomas

Exhibit T 64  
Skold v. Galderma  
Cancellation No. 92052897

Från: [REDACTED]  
Skickat: den 22 mars 2010 15:24  
Till: Thomas Sköld  
Ämne: RE: Contact

Dear Thomas,

Would you have time for a conversation on Tuesday morning US time?

Thank you,  
[REDACTED]

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Monday, March 22, 2010 7:53 AM  
To: [REDACTED]  
Subject: VB: Contact

Dear [REDACTED],

I believe [REDACTED] told you that I've been in Switzerland for some time. I want you to know that I'm finally back in Sweden, eager to start working on IP related work and finding partners in regards to establish developments based on this technology. As I see it I will be open for both licensing discussions and acquisition discussions or a combination thereof.

If there is an interest please let me know how you would like us to proceed.



Kind regards,  
Thomas

From: [REDACTED]  
Sent: den 12 mars 2010 19:14  
To: Thomas Sköld; Thomas Sköld  
Subject: Fw: Contact

Hi Thomas,  
Hope the slopes of Verbier are great. I've sent the note below to [REDACTED]. He is based in [REDACTED].  
Hi to Anne,  
[REDACTED]

From: [REDACTED]  
Sent: Friday, March 12, 2010 12:07 PM  
To: [REDACTED]  
Subject: Re: Contact

[REDACTED]  
His name is Thomas Sköld (2 dots over the o!) He was the founder of Ponsus, and now I believe is totally out of that company. He is working on and has the rights to a second-generation foam, tentatively named "Restoradem". He is a very reasonable guy and easy to deal with. I know he is looking for partners in the US and separately in Europe to develop products, both as a stand-alone but especially as a vehicle for actives.

His email addresses are: [thomas-skold@telia.com](mailto:thomas-skold@telia.com) and [thomas-skold@swinet.se](mailto:thomas-skold@swinet.se)

I'm not sure if one is better- I usually use both.

Best,  
Joe

From: [REDACTED]  
Sent: Thursday, March 11, 2010 4:44 PM  
To: [REDACTED]  
Subject: Contact

Hi Joe,

I hope you made it home from Miami ok. I was hoping you could provide me the contact information for the gentlemen you mentioned had the next version of the Ponsus products.

Thanks again,  
[REDACTED]

TRADE SECRET/COMMERCIALLY SENSITIVE - Initial Disclosu

Från: [REDACTED]  
Skickat: den 2 juni 2010 03:18  
Till: Thomas Sköld  
Ämne: RE: Restoraderm lipogrid Technology

Public

Thanks Thomas. I will check in with our team to see if they will be ready to talk at that point in time. Thanks

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Tuesday, June 01, 2010 9:43 AM  
To: [REDACTED]  
Subject: SV: Restoraderm lipogrid Technology

Exhibit T 65  
Skold v. Galderma  
Cancellation No. 92052897

Dear [REDACTED]

I hope this e-mail finds you well.

I imagine your group hasn't yet fully evaluated the opportunity. However and said that I will be travelling for pleasure starting next Wednesday throughout Sunday. I will be back on Monday, June 14<sup>th</sup> and it would be good if we could have a conference call that week (in case you don't want to talk on June 8<sup>th</sup> or before) to review where we stand.

Does that sound like a good plan?

All the best,  
Thomas



Från: [REDACTED]  
Skickat: den 5 oktober 2010 18:58  
Till: Thomas Sköld  
Ämne: Re:

Exhibit T 66  
Skold v. Galderma  
Cancellation No. 92052897

Thomas

good to hear from you

when you get back to business , you may want to talk to a global company based in [REDACTED] that they may be interested in your technology. I 'll be happy to make the introductions .  
Please call me if you come to US

Best regards  
[REDACTED]

----- Original Message -----

From: Thomas Sköld

To: [REDACTED]

Sent: Tuesday, October 05, 2010 3:16 AM

Subject: SV:

Dear [REDACTED]

Funny you sent this now! I was actually thinking of you yesterday.

Very good to hear from you. All is well even though the Collagenex history continued with Galderma. I was able to get the asset in return in the beginning of this year. Unfortunately all but the trademark which they decided to keep. Therefore I had to file a petition a little more than a month ago. It's never pleasant to have to do that but I'm a man of principles and right should always be right. This has cost me several of million dollar to date and the trademark was the drop that made the bucket flow.

I have spent the past 6-8 months working on IP world wide. You see a granted patent would have triggered a milestone with a substantial amount of money to me which they didn't want. After a lot of work now finally we are on track and believe that at the next office action it will get granted in the US and Europe. That however can take another 6 months or so. New Zealand and Australia are already clear and then we are waiting for Korea and Japan.

I am talking to a [REDACTED] company and also a [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] about taking the technology further along. If anything happens with the US company I will get back to you since I think it could be of interest to you. Unfortunately I have no more leads at this time. I haven't really worked on it but since the IP now looks promising (as of last week) it is now time to initiate discussions with companies. I have however understood that most companies today prefer a revenue stream rather than developing them selves. I would welcome any thoughts you might have.





**TRADE SECRET/COMMERCIAL SENSITIVE - Internal Disclosure**

For the first time in a long time I will attend the EADV which is in Gothenburg Sweden this year. I'm only down Thursday and Friday. It's time I jump up on that horse again!

Anne and I will also attend the Carib Derm meeting in Aruba in January. We will stay in the Caribbean for a long time coming back to Sweden in February. Then I hope I will be back in business and start working again. It's been way too long.

All the best,  
Thomas

---

Från: [REDACTED]  
Skickat: den 4 oktober 2010 20:12  
Till: Thomas Sköld  
Ämne:

Thomas

I have not heard from you for a while.  
How are you doing?  
How are things with Galderma?  
You know they are using "Restoraderm " for another brand!

Best regards  
[REDACTED]

TRADE SECRET/COMMERCIALLY SENSITIVE - Initial Disclosure

Från: [REDACTED]  
Skickat: den 21 februari 2011 16:08  
Till: Thomas Sköld  
Ämne: Re: SV: SV: Meeting in New York

Exhibit	T 67
Skold v. Galderma	
Cancellation No. 92052897	

Thomas,

I think your agenda looks very good, and I will be prepared to discuss the topics you have suggested.

I would like to understand more your technology, the IP situation around it, and the situation with Galderma. Is it possible to provide me with any formulation and patent information in advance of the meeting?

Thanks  
[REDACTED]

---

From: Thomas Sköld <thomas-skold@telia.com>  
To: [REDACTED]  
Sent: Fri, February 18, 2011 6:51:41 AM  
Subject: SV: SV: Meeting in New York

Dear [REDACTED]

I have now made the arrangements to see you on March 7<sup>th</sup>.

I will arrive at the Waldorf around 6 PM on Sunday the 6<sup>th</sup>. I'm departing back to Sweden on Tuesday afternoon. [REDACTED] were suppose to join us in New York but due to the Hawaiian meeting and the fact that he is right now on Anguilla for 2 weeks it won't happen I'm afraid. He needs a little bit of time in the office after his vacation. I will though see my patent attorney but right now we are pretty much on track with everything. The Canadian patent application got an allowance a week ago and we feel comfortable that our US application will get granted this year and hopefully before summer as it now looks.

About an agenda for our breakfast meeting I imagine you will have more items on the list than I will. Things I would like us to go through is;

1, I would like you to take me through your Company for me to understand your business plan and especially strategies and organization. Also people behind the Company are of course of interest.

2, To talk a little bit of this OTC idea of ours, which will include many of the US opinion leaders and any potential interest from your side.

1





**TRADE SECRET/COMMERCIALLY SENSITIVE - Initial Disclosure**

3. How your Company would like to take possession over right to the technology. What would be your preferred route? License product by product and or exclusive right or an acquisition. Depending on your request, territories could be of interest? We should also touch the subject of terms and how one best should structure an agreement.

4. Timelines! I'm in a position right now where I very soon will have to make decisions and commitments.

I imagine you would like to hear some of the Collagenex/Galderma history and where we are in terms of patent allowance. At this time I will also take you through other patent applications I have. These however are not topical applications. They are based on intra nasal and oral delivery. A nasal vitamin D product have been discussed for the OTC Company.

Have a great weekend,  
Thomas

---

Från: [REDACTED]  
Skickat: den 10 februari 2011 22:48  
Till: Thomas Sköld  
Ämne: Re: SV: Meeting in New York

Thomas--

Breakfast at the Waldorf sounds great. Shall we say 8am?

We can develop a list of discussion items over the next week or two.

[REDACTED]

--- On Thu, 2/10/11, Thomas Sköld <[thomas-skold@telia.com](mailto:thomas-skold@telia.com)> wrote:

From: Thomas Sköld <[thomas-skold@telia.com](mailto:thomas-skold@telia.com)>  
Subject: SV: Meeting in New York  
To: "T [REDACTED]"  
Date: Thursday, February 10, 2011, 1:19 PM

Hi [REDACTED]

I'm open for everything. My plan is to arrive already on Sunday afternoon so I get one night to adjust for the time difference. I'm planning to see my patent attorney on Tuesday and then head back home on Tuesday afternoon.

The morning suites me fine. I will probably be up extremely early. Could we see each other for breakfast at the Waldorf you think?

**TRADE SECRET/COMMERCIALLY SENSITIVE - Initial Disclosure**

Let me know when you get in and when you would like to meet.

I look forward seeing you soon,

Thomas

---

Skickat: den 10 februari 2011 21:58

Till: Thomas Skold

Ämne: Meeting in New York

Thomas-

Just confirming our meeting in New York for March 7th. Are you still good to go?

I will try to arrange other meetings while I am there, and will try to fly out late that afternoon, so wanted to see if there was a specific time you would like to meet. If you do not have a preference I would suggest the morning.

I look forward to hearing from you, and meeting you.

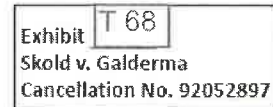
Från: Thomas Sköld [mailto:thomas-skold@telia.com]

Skickat: den 30 juni 2011 10:35

Till: [REDACTED]

Konferens: [REDACTED] E [REDACTED]

Ämne: VB: Restoraderm Technology dermatological delivery system



First I would like to thank you both for taking the time to see us yesterday. If you end up seeing a good fit on what we discussed I'm sure we could get a very good collaboration together.

If possible please forward [REDACTED] the name of the person on the Rx division so that she can set something up with them for August/September since I believe they will have an interest in this technology (life cycle management and new products both orally and nasally).

About a skin barrier repair product for South America I'm enclosing some information for your review. This product (together with Epiceram and Cerave) is "state of the art" and works better than anything else on the market. The product is ready to be commercialized but need a manufacturing plant to produce. All ingredients are GRAS compounds.

For manufacturing purposes it is of importance to understand that one needs a high pressure homogenizer and a dispersing equipment to create these two structures. If using the Rannie brand from APV as a high pressure homogenizer scaling up from lab/pilot batches is pretty straight forward. The lab version of this equipment correlates with the large scale manufacturing equipment which makes development work so much easier.

I wish you a very pleasant summer and stays at your disposal at any time.

All the best,  
Thomas

**Public**



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Arthur Jackson

**From:** Thomas Sköld [skold@ponsus.se]  
**Sent:** Wednesday, September 05, 2001 3:39 AM  
**To:** Thomas Sköld  
**Subject:** FW: Schedule

204

Exhibit T 72  
Skold v. Galderma  
Cancellation No. 92052897

-----Original Message-----

**From:** Jeff Day [mailto:jday@myexcel.com]  
**Sent:** Tuesday, September 04, 2001 10:10 PM  
**To:** Thomas Sköld  
**Subject:** Schedule

I have confirmed several meetings:

Monday: Arrival into Newark  
Meeting with CollaGenex  
Tuesday: AM meeting with Neutrogena / Ortho Derm  
PM - Depart for Phoenix  
Wednesday: 9:00 AM - 11:30 Medicis

I am still waiting for Allergan to confirm, and if we go there we will also meet with OMP (Direct to Physician sales organization), located outside of Los Angeles.

Jeff Day



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Public

Arthur Jackson

**From:** Jeffrey Day [jday@collagenex.com]  
**Sent:** Monday, February 18, 2002 10:27 AM  
**To:** 'Thomas Sköld'  
**Subject:** RE: In the States

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1. These people I am offering will work with us!
2. Connetics called us as well – Brian will disucuss with you!

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:skold@mbox312.swipnet.se]  
**Sent:** Monday, February 18, 2002 9:59 AM  
**To:** 'Jeffrey Day'  
**Subject:** RE: In the States

Hi Jeff,

I talked to Terry this Saturday. Apparently he will be coming in to New Orleans in the end of this week and we will be continuing our discussion then.

I have not heard anything from John Kinzell and not talked to Bruce. I don't have his number with me. How ever I would like to start with Brian today and then we will see what we have to do. We don't want Ponsus to become our toughest competitor. I even know that Connetics is out looking for something that they can work with on a world wide basis.

See you 11.30

Regards,  
Thomas

-----Original Message-----

**From:** Jeffrey Day [mailto:jday@collagenex.com]  
**Sent:** Monday, February 18, 2002 1:59 PM  
**To:** 'Thomas Sköld'  
**Subject:** RE: In the States

Thomas,

I hope you are feeling better! I will contact you later this AM, most likely someone will pick you up around 11:30.

Follow up:

1. Terry Cobb - I wanted to make sure you got this message to call him this AM.
2. John Kinzell – Did you recieve this email as well. John was Pres of Optime (Liposomal Delivery Co.) and just left looking for new opportunities, he might be a great person to call for; money and US expertise. If you don't have his number, call me this AM!
3. Have you followed up with Bruce Simpson?

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:skold@mbox312.swipnet.se]  
**Sent:** Sunday, February 17, 2002 8:12 PM  
**To:** Jeff Day  
**Subject:** In the States

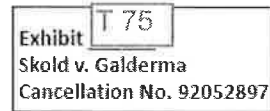
Good morning Jeff,

Wanted to let you know that I made it here to the Brick.

I have had a stomach disease since Friday so the flight could have been more pleasant. How ever, I am getting better so I should be alright by the time we meet for lunch.

Enclosed please find the RestoraDerm Formula including two important names.

See you soon.



Regards,  
Thomas

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Public

Arthur Jackson

**From:** Rob Ashley [rashley@collagenex.com]  
**Sent:** Wednesday, May 01, 2002 9:48 AM  
**To:** Thomas Sköld  
**Subject:** RE: Visit to ATS

Exhibit T 76  
Skold v. Galderma  
Cancellation No. 92052897

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Thomas,  
Its not Atrix its ATS! I think they will go for an OTC "skin rejuvenation" type claim in the first instance. All we provide is the more elegant vehicle. As with Melanotan, maybe the liposomal formulations will be more attractive.  
Any interim stability data? I notice hte little bottle of cream I brought home separated then got infected. I'm growing an interesting bacterial colony on my desk at the moment!!  
Rob

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@swipnet.se]  
**Sent:** Wednesday, May 01, 2002 9:32 AM  
**To:** 'Robert A. Ashley'  
**Subject:** RE: Visit to ATS

Hi again,  
Sounds good! So they are interested after all. Do we know what specific product (indication) would Atrix be interested in?  
So you know, we hope to get more Restoraderm chemicals in the end of next week. We will then start with the neutral version and go on to the lidocain formulations. Everything is done on paper we just need to verify it in the lab. Mats Silvander is up to date with the Melanotan substance. I will have a meeting with Mats early next week.

Hope to see you in Sweden soon.

Regards,  
Thomas

-----Original Message-----

**From:** Robert A. Ashley [mailto:rashley@collagenex.com]  
**Sent:** Wednesday, May 01, 2002 2:49 AM  
**To:** 'Don Rindell'  
**Cc:** 'Brian Gallagher'; 'Michael Romanowicz'; thomas-skold@swipnet.se  
**Subject:** RE: Visit to ATS

Dear Don,  
My apologies for not following up diligently on these issues.  
With respect to Atrix, I will drop an e-mail to Dr Steve Garrett at Atrix and introduce the concept.  
With respect to Restoraderm the stability testing of the base formulations is progressing well. We have 4 different formulations on stability. Meanwhile we are building the intellectual infrastructure around the world to develop the technology into products. 3 months stability will be up in mid June at which time we can be confident that the formulations are marketable. In the meantime we can send you samples of the final formulations if this will help you determine their acceptability or otherwise. We need a Material Transfer Agreement in place to be able to do this. I'll get something going tomorrow on that front.  
Finally with respect to Dermagraft, we are currently focusing our efforts on Periostat and our forays into dermatology. Given that, I don't think that we would be able to devote the significant selling effort to Dermagraft which would be required to be successful. If the situation changes, we would be happy to reconsider.  
Best regards,  
Rob Ashley

-----Original Message-----

**From:** Don Rindell [mailto:Don.Rindell@advancedtissue.com]  
**Sent:** Tuesday, April 30, 2002 10:36 AM  
**To:** 'Rob Ashley'  
**Cc:** 'Brian Gallagher'; 'Mike Romanowicz'; Mark Gergen  
**Subject:** RE: Visit to ATS

Dear Rob:



There were a few action items coming out of our San Diego meeting, and I would appreciate your response as to how you would like to proceed.

- Setting up a meeting a between Atrix and ATS to introduce NouriCel (Conditioned Medica) as a potential new combination product
- ATS interest in testing NouriCel with Collagenex's new delivery platform
- Continued communication regarding the future marketing of Dermagraft to the Periodontal market segment

I look forward to hearing from you.

Best regards  
Don

-----Original Message-----

**From:** Don Rindell  
**Sent:** Thursday, March 21, 2002 2:54 PM  
**To:** 'Rob Ashley'  
**Cc:** Brian Gallagher; Mike Romanowicz  
**Subject:** RE: Visit to ATS

Dear Rob

Just a quick note to thank you and Brian for taking the time to visit ATS during your recent stay in San Diego. We were impressed with the progress Collagenex has made in securing a solid position in the dental and periodontal market place. We were also intrigued with the multiple areas of potential collaboration between our companies and look forward to future discussions.

As a follow-up to our meeting, we agreed that a good next step would be to meet with Atrix Labs exploring the development of an ATRISORB / NouriCel product. Please let me know how we can best proceed in setting up that meeting.

Best regards  
Don



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Arthur Jackson

**From:** Rob Ashley [rashley@collagenex.com]  
**Sent:** Friday, May 03, 2002 7:24 AM  
**To:** 'Thomas Sköld'  
**Subject:** RE: Antares Pharma

Exhibit T 77  
Skold v. Galderma  
Cancellation No. 92052897

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Thomas,

All in favor of any and all deals on Restoraderm. Please arrange to meet with them in PHL (regardless of the outcome of the P deal). Call Karen regarding my schedule, however, which is very full!!

Robert A. Ashley

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@swipnet.se]  
**Sent:** Monday, April 29, 2002 9:02 AM  
**To:** Brian M. Gallagher; Jeff Day; Nancy Broadbent; Robert A. Ashley; David Pfeiffer  
**Subject:** Antares Pharma

Good morning again,

I just had a phone call from Dario Carraras from Antares Pharm (Basel) who confirmed their interest of working with us on both Proderm and Retoraderm when it comes to transdermal delivery. As mentioned before their headquarter is moved to Philadelphia and the new CEO is Dr. Roger Harrison. That could also mean that we have the facility that we need to conduct all the pre studies with Melanotan that we need.

I told Dario that I need to talk to some people (you) and will get back to him on May 20. So I hope that we will be able to discuss this a little bit prior to that date and maybe we can do so when you get to Stockholm. He also confirmed that he is going to Philadelphia in June, which would be a good time to see all of you and perhaps discuss details when it comes to agreement issues and so on.

The whole idea is that they will pay for development cost (we formulation) and that we would share any royalty and down payments that would come in. Normally we would be able to get some sort of down payment up on signing. That is something we need to negotiate about. They are right now in a fundraising process, which they are supposed to close in September. So depending on when a deal would be signed, that will probably set the size of a down payment and thereby also the royalty.

Best regards,  
Thomas



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Arthur Jackson

**From:** Jeffrey Day [jday@collagenex.com]  
**Sent:** Tuesday, May 07, 2002 4:20 PM  
**To:** Thomas Skold  
**Subject:** Presentaiton  
**Attachments:** Boardpresentation.ppt

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Thomas,  
What can you add to this?  
- New Partners  
- Products  
- Status of ongoing projects (Minoxidil...?)

How this helps CollaGenex?  
Synergies with Restoraderm?

I will call you Wednesday AM!



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Arthur Jackson

**From:** Rob Ashley [rashley@collagenex.com]  
**Sent:** Wednesday, June 26, 2002 8:25 AM  
**To:** Skold, Thomas  
**Subject:** FW: Melanotan Formulation - Periostat

Exhibit T 79  
Skold v. Galderma  
Cancellation No. 92052897

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-----Original Message-----

**From:** Rob Ashley [mailto:rashley@collagenex.com]  
**Sent:** Wednesday, June 26, 2002 8:17 AM  
**To:** Michael Kleinig  
**Cc:** Thomas Sköld  
**Subject:** RE: Melanotan Formulation - Periostat

Dear Michael,

That would be an excellent plan. As you know, all the development work is being carried out in Sweden, so the best bet would be to go to Sweden as part of your trip. I could meet you there or in Philadelphia (where there is also some relevant development capability we are thinking to exploit) to discuss commercial issues and a development plan, if this is your objective.

All the best,  
Rob

-----Original Message-----

**From:** Michael Kleinig [mailto:michael.kleinig@epitan.com.au]  
**Sent:** Wednesday, June 26, 2002 3:13 AM  
**To:** Rob Ashley (E-mail)  
**Subject:** FW: Melanotan Formulation - Periostat

Dear Rob,

Just a short note to touch base with you regarding the use of Restoraderm with melanotan. I see from an email you sent to Wayne in early June studies appear to be continuing on track.

The reason why I wish to raise the topic at the moment is because I am intending to travel in early September (USA & Europe) and I thought that might be a good time to get together with yourself and your developmental scientists in order to fully discuss the potential of this formulation and how we could go about demonstrating proof of principle.

I hope everything else is going smoothly and I look forward to response in this matter

Best regards

**Michael Kleinig**

*Pharmaceutical Development Manager*

**EpiTan Limited**  
Level 10, 52 Collins Street  
Melbourne Australia 3000

**Tel:** +61 3 9662 4688  
**Fax:** +61 3 9662 4788  
**e-mail:** [michael.kleinig@epitan.com.au](mailto:michael.kleinig@epitan.com.au)

[www.epitan.com.au](http://www.epitan.com.au)

-----Original Message-----

**From:** Wayne Millen  
**Sent:** Friday, 12 April 2002 3:14 PM  
**To:** 'Rob Ashley'



**Cc:** Michael Kleinig  
**Subject:** RE: Melanotan Formulation - Periostat

Dear Rob,

Thanks from Michael and I for the talk on the above, and for your very detailed presentation on the activities of CollaGenex.

Michael has forwarded to you the information on the chemical /physical properties of Melanotan and we await with interest the findings of your technical people as to the likelihood we shall be able to incorporate it into a formulation with your Restoraderm technology.

With respect to Periostat, I shall be talking with Prof Alan Cooper, our dermatologist director, about the opportunity for an acne treatment.

I shall get back to you shortly after my talks with Alan.

Best regards,

Wayne

-----Original Message-----

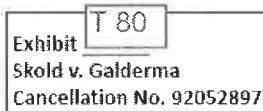
**From:** Rob Ashley [<mailto:rashley@collagenex.com>]  
**Sent:** Friday, April 12, 2002 9:15 AM  
**To:** Wayne Millen  
**Subject:**

Dear Wayne,  
Enjoyed talking to you today. Attached is the derm presentation I was talking about. Please share this with your dermatology board member in confidence. Any questions, please forward them to me in the first instance. We can arrange a discussion with Jim Leyden or Alan Shalita as warranted. Best regards, Rob Ashley

Rob

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Arthur Jackson

**From:** Michael Kleinig [Michael.Kleinig@epitan.com.au]  
**Sent:** Thursday, May 26, 2005 5:55 PM  
**To:** Thomas Sköld  
**Subject:** RE: Saying hi  
**Attachments:** AIM listing and capital raising suspended.pdf; Report GPT(P4).doc

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Hej! Thomas,

Firstly, thank you to Anne and yourself for having me at your house. The weekend was truly relaxing, which was exactly what I needed being in the middle of 42 broker presentations!! Your hospitality was overwhelming and I hope that Lisa and I can return the favour one day, although we don't have a boat or an island, but I can get you on a good golf course!!

Regarding the listing and fund raising, up until the time I visited you in Björnö, we had a very large portion of the funds we were seeking already on the table. Unfortunately, although we were extremely well received, in the last week the whole biotech market shut down and gradually these offers were removed. In the end we chose not to list on AIM as the market conditions were unfavourable (see attached announcement). This obviously has effect on what we were discussing but we, and our UK brokers, are still keen to list on AIM but it will be most likely when the market turns.

I have had a very good look at Nastech.com and there model is something that I have wanted to do with EpiTan once we get Melanotan away. The tide will turn and we will be back - everything is cyclic as you would very well know.

We had our quarterly meeting with IMVS yesterday at which Restoraderm results were presented (report attached). Some of the formulations managed to obtain good levels in the plasma for the first hours but however not for the extended periods that we are chasing. Preparations that did not give any plasma levels may well have kept the drug in the dermis. We are initiating immunohisto studies to investigate further. As you know, we are looking for a non-systemic formulation for a vitiligo indication. I will give you and Mats time to digest the results and then we can plan to discuss.

I hope everything else is going well. Have you managed to get the big boat into the water yet? I assume you are both looking forward to a very relaxing summer.

I know we will talk soon

cheers

MJK



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**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, 27 May 2005 3:43 AM  
**To:** Michael Kleinig  
**Subject:** Saying hi

Hi Michael,

I hope all is well and that you got a well deserved holiday with your family when you got back home. How did things go in UK and have you been able to summarize it all yet?

As a follow up on what we discussed when you were here, Mats and I have spent some time on the nasal project. Studying literatures, locating resources like sterile manufacturing capacity and packaging materials, locating study models and also some formulation developments. At Björnö we have our pilot lab for pre-formulation work. At The Institute of Surface Chemistry we can do all the characterization work. With Apoteket we have analytical and stability study capacity, a clinical batch manufacturer and people with good reputation as advisors.

We have so far only found models in Denmark and Holland and we will be going there to review these different facilities so that we can build them up here in Sweden and as it looks Apoteket could run them for us. We are told that there is supposedly a model up and running somewhere here in Sweden and I hope we will be able to locate it during next week.

If you have not done it yet please enter the NASTECH.COM web page. They have been doing this for some years now and their market cap is around \$220 million. I believe they have about 4 or 5 projects ongoing but so far no products on the market. The more you dig into the area the more interesting it gets. The interest around nasal delivery is growing rapidly and most of the products on the market are huge in terms of revenue.

If there would be an interest from EpiTan and your self I believe we are ready to talk. We will during June and July continue to do our home work so that we will be ready to start some pre-clinical work in September or so. I would love to see you back in a near future.

Side by side with this we will of course follow very carefully what is happening with Collagenex and their progress in dermatology. I do believe that some doors might be open by February next year.

By the way have you received any data from our study?

Talk to you soon and all the best,  
Thomas

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Arthur Jackson

From: Jeffrey Day [jday@collagenex.com]  
Sent: Wednesday, October 09, 2002 4:47 PM  
To: Thomas Skold  
Subject: FW: Fujisawa Meeting

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Skold v. Galderma  
Cancellation No. 92052897

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Thomas,

1. Will you be able to have any neutral or Lidocaine samples for a Nov 7th meeting with Fujisawa, even if not useable on humans. In addition, Ortho-Neutrogena called to meet about Restoraderm, and we met with Watson today and they were interested as well.

Where do you stand with any updates on the presentation?

2. Ponsus

I have enclosed an email for your eyes only. Rob is asking me if I can get any updated (accurate) forecasts from you on Ponsus, with the new deals in place. It seems Brian is working to get a better handle on this so we can make a decision!

Jeff Day

-----Original Message-----

From: Rob Ashley [mailto:rashley@collagenex.com]  
Sent: Wednesday, October 09, 2002 4:07 PM  
To: 'Jeffrey Day'  
Subject: RE: Fujisawa Meeting

Jeff,

Looks good. However what do you want to say about COL-308? I don't have hardly any data about this particular compound. I guess we can talk about the COLs in a general sense. What else can we get from Thomas to help us out at this meeting?

Also for our 14th meeting, can we get any even more up to date and perhaps more optimistic sales forecasts about Ponsus from Thomas? I see Brian has put it on the agenda (a promising sign!!)

Robert A. Ashley

-----Original Message-----

From: Jeffrey Day [mailto:jday@collagenex.com]  
Sent: Wednesday, October 09, 2002 3:30 PM  
To: Robert Ashley  
Subject: FW: Fujisawa Meeting

Rob,

We are confirmed for Nov 7th with Fujisawa.

Jeff Day

-----Original Message-----

From: Jean Rumsfield@fujisawa.com [mailto:Jean.Rumsfield@fujisawa.com]  
Sent: Tuesday, October 08, 2002 5:40 PM  
To: Jeffrey Day  
Subject: RE: Fujisawa Meeting

Dear Jeff

I can't believe it!!! I was able to get time of most of the important players on Thursday November 7 from 1a to 12noon. Does this still work for

you? I also invitied our medical director (a board certified dermatologist) and a regulatory person.

I would be happy to assist you with any travel arrangements or provide you



with additional information.  
Thanks again for your patience on this!  
Jean

"Jeffrey Day" <[jday@collagenex.com](mailto:jday@collagenex.com)> on 10/07/2002 11:32:43 AM

To: <[Jean.Rumsfield@fujisawa.com](mailto:Jean.Rumsfield@fujisawa.com)>  
cc:

Subject: RE: Fujisawa Meeting

Jean,  
Let's keep the first meeting to you and sales and marketing. The goal is to discuss future versions (Call -308) of Periostat for dermatological applications and a lipid based product and delivery system (Restoraderm).

Let's shoot for the 7th (Thursday)! Let me know what time works best with you? Thanks for all of your support on this meeting. I know it is a pain arranging these meetings and working around everyone's busy schedules!

Jeff Day

-----Original Message-----

From: [Jean.Rumsfield@fujisawa.com](mailto:Jean.Rumsfield@fujisawa.com) [<mailto:Jean.Rumsfield@fujisawa.com>]  
Sent: Friday, October 04, 2002 12:06 PM  
To: Jeffrey Day  
Subject: RE: Fujisawa Meeting

Dear Jeff

Right now the afternoon of Wednesday Nov 6 is open and most of Thursday Nov

7 and Friday Nov 8 is open.

This is based on the schedules of our sales and marketing people. I am still not entirely clear of the meeting agenda so I wasn't sure if I need

to invite R&D or regulatory people as well.

I appreciate your patience on this and am sorry it is taking so long to set

up!

With Regards

Jean



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Arthur Jackson

**From:** Jeffrey Day [jday@collagenex.com]  
**Sent:** Monday, March 10, 2003 10:58 AM  
**To:** 'Thomas Sköld'  
**Subject:** RE: Yesterdays meeting

Exhibit T 82  
Skold v. Galderma  
Cancellation No. 92052897

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Let me know the date the new product will be available.

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Monday, March 10, 2003 3:02 AM  
**To:** 'Jeffrey Day'  
**Subject:** RE: Yesterdays meeting

Good morning Jeff,

Sounds like a good challenge to present the technology for Ortho-Neutrogena. The fact that they called gives us some sort of advantage I think. It will be extremely interesting since it is my first time talking about it to a company.

Should we try to set the meeting up for 9:00 am? We could have breakfast at our hotel.

I will keep you posted about the progress with Investor. I am fairly sure that the management will listen to Thomas, which means we have to agree on the price and how it should be paid. Since Pathfinder wants to re-sign an agreement due to their acquisition of Sea & Ski we need to get as much info as possible to be able to make up projections that you will use as a base to value the company.

Regards,  
Thomas

-----Original Message-----

**From:** Jeffrey Day [mailto:jday@collagenex.com]  
**Sent:** Sunday, March 09, 2003 5:26 PM  
**To:** 'Thomas Sköld'  
**Subject:** RE: Yesterdays meeting

Let me know when I can get the new completed samples. I need to prepare for several meetings and studies.

Note: Ortho-Neutrogena called to set up a meeting at teh AAD! I will set up for Fri or Sat. Try to set up the meeting with Bernie on Sunday (except 12-2:30)

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, March 07, 2003 11:46 AM  
**To:** 'Jeffrey Day'  
**Subject:** RE: Yesterdays meeting

Hi Jeff,

Sure thing.

I will send him an E-mail requesting a phone call at his earliest convenience.

By the way I didn't proper congratulate you to what is about to see day light in 6½ month. Congratulations to you and your family.

Have a great weekend.

Regards,  
Thomas

Ps. We are starting the BPO developing work on Tuesday. On Tuesday evening we will fill the propellant in both clobetasol-aerosol products and vehicle-aerosol products



-----Original Message-----

**From:** Jeffrey Day [<mailto:jday@collagenex.com>]

**Sent:** Friday, March 07, 2003 5:20 PM

**To:** 'Thomas Sköld'

**Subject:** RE: Yesterdays meeting

Thomas,

It was great seeing you!

Can you do me a favor, really important! Joe Fowler is starting up two studies (Pin Prick versus Elamax and Hand Dermatitis for new Restoraderm Foam), in fact the Pin Prick has started.

Can you call him over the weekend to discuss both of these studies to make sure you are okay with them, and you can get his initial feelings?

Lidocaine: Pin Prick versus Elamax (to simply see if we are as efficacious for pain relief and in on-set!)

Restoraderm: Enhanced Pro-Q study versus Aquaphor

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [<mailto:thomas-skold@telia.com>]

**Sent:** Friday, March 07, 2003 4:55 AM

**To:** Jeff Day; Nancy Broadbent; Robert A. Ashley

**Subject:** Yesterdays meeting

Dear friends,

I'm finally home in Sweden after this quick but very productive trip.

I'm happy to say that Thomas really liked what he saw and he will be working in our favor to make this happen.

He also mentioned that he would be the one (from Investor) responsible for a CollaGenex investment based on a share swap but also for any future investment. He got a good impression of the company and very important also of you personal. Thank you all for a very good meeting.

Have a great weekend.

Regards,

Thomas

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**Arthur Jackson**

**From:** Jeffrey Day [jday@collagenex.com]  
**Sent:** Friday, March 14, 2003 1:49 PM  
**To:** 'Thomas Skold'  
**Subject:** RE: AAD  
**Attachments:** Jeff's Schedule for AAD.doc

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Skold v. Galderma  
Cancellation No. 92052897

See agenda enclosed!

Jeff Day

-----Original Message-----

**From:** Thomas Skold [mailto:thomas-skold@telia.com]  
**Sent:** Friday, March 14, 2003 12:08 PM  
**To:** 'Jeffrey Day'  
**Subject:** RE: AAD

Hi Jeff,

8:30 is fine.

I do have all the samples at home and will during the weekend make a few parcels and send them on Monday. I will also bring about 5 samples each with me to SF. I'm leaving on Wednesday and will arrive in SF at 5 pm the same day.

Do you have the day and time for our meeting with OrthoNeutrogena? I will be working with Jill from 1 pm on Saturday and on to the afternoon I think. We are planning for a lunch together with you Brian and Rob (if possible) and the Pathfinder people on Friday. The CEO of Ponsus has said that it is OK. I don't know where yet but please book that time.

Have a great weekend.

Regards,  
Thomas



-----Original Message-----

**From:** Jeffrey Day [mailto:jday@collagenex.com]  
**Sent:** Friday, March 14, 2003 2:50 PM  
**To:** Thomas Skold  
**Subject:** FW: AAD

Can you plan on having breakfast with Mike Burns and I at 8:30 on Friday? I will start my meeting at 8:00 (I need to work with him on several items first), and then told him you would join us at 8:30.

Jeff Day

-----Original Message-----

**From:** Burns, Michael [mailto:mburns@ferndalelabs.com]  
**Sent:** Friday, March 14, 2003 8:56 AM  
**To:** 'Jeffrey Day'  
**Subject:** RE: AAD

Thanks Jeff and Congratulations!!

We'll meet at your hotel and if you're Ok with Thomas joining us that would be really nice. I'll see you in the Marriott Lobby as planned.

Have a great weekend. Mike.

-----Original Message-----

**From:** Jeffrey Day [mailto:jday@collagenex.com]  
**Sent:** Friday, March 14, 2003 7:50 AM

**To:** 'Burns, Michael'  
**Subject:** RE: AAD

See below!

-----Original Message-----

**From:** Burns, Michael [<mailto:mburns@ferndalelabs.com>]  
**Sent:** Thursday, March 13, 2003 3:28 PM  
**To:** 'Jeffrey Day'  
**Subject:** RE: AAD

Jeff: I'm at the Renaissance Parc. Want to meet at your hotel? {If convenient for you that would be great! – Let's meet in the lobby at 8:00}

Mobile: (248) 808-2101 { ( 215) 534-4549 }

Family is great. The young ones are 3-4" taller than me now but good lads, if I say so myself. { How could they not do well; two great parents any kid would love to have!!  
How about your "no longer babes in arms"? { There may be another baby in arms soon – we are expecting our 4<sup>th</sup> first week of October }

PS Are you planning to meet up with Thomas Skold { He will be there Thurs – Sunday PM – Do you want to meet with him as well, I could have him come down at 8:30?}

Jeff Day

-----Original Message-----

**From:** Jeffrey Day [<mailto:jday@collagenex.com>]  
**Sent:** Thursday, March 13, 2003 9:08 AM  
**To:** 'Burns, Michael'  
**Subject:** RE: AAD

Mike,  
That works great! Where are you staying? We are at the Marriott.

How is the family?

Jeff Day

-----Original Message-----

**From:** Burns, Michael [<mailto:mburns@ferndalelabs.com>]  
**Sent:** Thursday, March 13, 2003 9:16 AM  
**To:** 'Jeffrey Day'  
**Subject:** RE: AAD

Hi Jeff: Would love to! Missed you in Hawaii but you'll be pleased to know your colleagues, especially John, did a great job. They also behaved themselves reasonably well.

Best day to meet would be the 21st in the am. (E.g. breakfast at 8am?)

Please let me know.

All the best. Mike.

-----Original Message-----

**From:** Jeffrey Day [<mailto:jday@collagenex.com>]  
**Sent:** Thursday, March 13, 2003 8:57 AM  
**To:** 'Burns, Michael'  
**Subject:** AAD

Mike,  
Any chance we could grab a beer or breakfast in San Francisco? What days will you be there?

I would really like to see you, especially since I missed you in Hawaii!

Jeff Day

**CONFIDENTIAL**

<b>THURSDAY</b>	<b>FRIDAY</b>	<b>SATURDAY</b>	<b>SUNDAY</b>
<p><b>7:00</b> Joe Fowler Presenation- Golden Gate C-1 Rm Marriott San Fran</p>	<p><b>8:00</b> Ferndale-Mike Burns Breakfast - BPO Acquisition JD</p> <p><b>10:00</b> Jorge Sanchez Marriott Rosacea/Restoraderm Study BG/RA/CP/JD</p> <p><b>11:00</b> Ruby Ghadially BG/RA/CP/JD</p> <p><b>12:00</b> Bioglan - Bob Moccia - Pres BG/RA/CP/JD</p> <p><b>3:00</b> Berlex Pharm Tarquin Learned BG/RA/CA/JD</p>	<p><b>8:00</b> Marketing Consultant Meeting</p> <p><b>10:00 - 11:30</b> Glades Pharm / Steiffel Labs Jeff Thompson - VP Brent Stieffel - Pres BG/RA/CP/DP/JD</p> <p><b>12:00</b> Marketing Consultant Meeting</p> <p><b>3:30</b> Ortho-Neutrogena (J&amp;J) Tom Carey VP Bus Development BG/RA/CP/JD</p> <p><b>7:00</b> Dinner Sirius Laboratories</p>	<p><b>9:00</b> SV Pharma Mohan Vishnupad Naomi Vishnupad RA/CP/DP/JD</p> <p><b>10:00</b> Howard Maibach Marriott Lobby RA/CP/JD</p> <p><b>12:30 - 2:00</b> Scientific Advisory Meeting</p>

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Public

Arthur Jackson

From: Jeffrey Day [jday@collagenex.com]  
Sent: Tuesday, May 13, 2003 4:05 PM  
To: 'Thomas Sköld'  
Subject: RE: Barrier Recovery

Exhibit T 84  
Skold v. Galderma  
Cancellation No. 92052897

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Great!!

Call me tomorrow AM (9:15-11:00) if you have a chance? I will be in the train on my cell!

Jeff day

-----Original Message-----

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Tuesday, May 13, 2003 4:21 PM  
To: 'Jeffrey Day'  
Subject: RE: Barrier Recovery

Jeff,

I have been in contact with Jeff from DPT who explained (based on his experience with BPO) that we should settle with dispersing the BPO meaning crystals in the size of 1-10 micrometer (similar to what we saw before with lidocain). This should mean that we can develop an aerosol version.

Regards,  
Thomas

-----Original Message-----

From: Jeffrey Day [mailto:jday@collagenex.com]  
Sent: Tuesday, May 13, 2003 9:04 PM  
To: 'Thomas Sköld'  
Subject: RE: Barrier Recovery

This is good news! I really need this to happen!

Jeff Day

-----Original Message-----

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Tuesday, May 13, 2003 3:16 PM  
To: 'Jeffrey Day'  
Subject: RE: Barrier Recovery

Perfect!

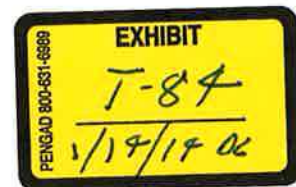
By the way it now looks more promising with the BPO development.

Talk to you tomorrow.

Regards,  
Thomas

-----Original Message-----

From: Jeffrey Day [mailto:jday@collagenex.com]  
Sent: Tuesday, May 13, 2003 8:52 PM  
To: 'Thomas Sköld'  
Subject: RE: Barrier Recovery



I will try to call you tomorrow from the train in NY!

Jeff Day

-----Original Message-----

From: Thomas Sköld [<mailto:thomas-skold@telia.com>]

Sent: Tuesday, May 13, 2003 2:42 PM

To: 'Jeffrey Day'

Subject: RE: Barrier Recovery

Hi Jeff,

I understand and based on the stock price together with number of shares traded these past few days that a lot of thing is going on.

Try to call me on Thursday since I will be occupied on Friday.

Regards,

Thomas

-----Original Message-----

From: Jeffrey Day [<mailto:jday@collagenex.com>]

Sent: Tuesday, May 13, 2003 6:11 PM

To: 'Thomas Sköld'

Subject: RE: Barrier Recovery

Thomas,

I am really sorry for blowing you off this week! I have been pulled many different directions this week in preparation for the upcoming board meeting! I just finished my preparation for the board meeting and will now concentrate on the Restoraderm issues and your invoices! I will be in NY City tomorrow (Wed), but would like to see if we can speak on Thursday (AM) or Friday?

Jeff Day

-----Original Message-----

From: Thomas Sköld [<mailto:thomas-skold@telia.com>]

Sent: Tuesday, May 13, 2003 3:26 AM

To: 'Ruby Ghadially'; [jday@collagenex.com](mailto:jday@collagenex.com)

Subject: RE: Barrier Recovery

Good morning Ruby,

I did not get hold of Jeff yesterday but will try again today.

One comment before we get back. Restoraderm/Lipoid technology does contain lipid precursors originally. What we saw as interesting was to determine how significant the precursors are in the technology. We can of course compare at a later stage the technology without the precursors with the current study.

We will get back to you soon.

All the best until then,

Thomas

-----Original Message-----

From: Ruby Ghadially [<mailto:rghadially@orca.ucsf.edu>]

Sent: Monday, May 12, 2003 6:21 AM

To: [jday@collagenex.com](mailto:jday@collagenex.com); [thomas-skold@telia.com](mailto:thomas-skold@telia.com)

Subject: Barrier Recovery



Dear Jeff/Thomas

We are now about to start the barrier recovery study. i.e., does the application of Restoraderm aid in barrier recovery. Our original plan was to use Restoraderm after barrier perturbation in mice and to monitor barrier recovery in the treated vs. untreated mouse. I now believe Jeff and/or Thomas wished to add also Restoraderm with lipid precursors.

Thus

we may now plan to test Restoraderm vs. control and Restoraderm with lipid precursors vs. control. We were planning to use a T test for statistical significance. Just the treatment vs. no treatment. However, some statisticians would criticize and say that if we test more than one treatment we must do an ANOVA, even though we may only wish to study each vs. the control. I do not think that at this stage we should get into comparing with and without lipid precursors against each other because then we should use ANOVA for our statistical test, and it will be tougher to show significance, and may jeopardize our ability to show any significant result.

Another thought would be to do a full study of the chosen version vs.

control, and then just a small pilot to see if the other seems to be significantly better or worse.

Any comments, thoughts?

Ruby

Ruby Ghadially M.B., Ch.B., F.R.C.P.(C)Derm Associate Professor Dept. of Dermatology  
University of California, San Francisco

Tel: (415) 221-4810 ext. 3373

Fax: (415) 751-3927

email: [rghadially@orca.ucsf.edu](mailto:rghadially@orca.ucsf.edu)

Mailing Address:

VA Medical Center (190)

4150 Clement St.

San Francisco, CA 94121

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Exhibit	T 85
Skold v. Galderma	
Cancellation No. 92052897	

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Arthur Jackson

From: Jeffrey Day [jday@collagenex.com]  
Sent: Monday, July 21, 2003 1:51 PM  
To: 'Goostree, Diane'  
Subject: FW: Questions on Restoraderm Technology and plans for Conference Call

Diane,  
Here is a follow up to your questions for the conference call! I look forward to the conference call and upcoming meeting in Chicago!  
See below

1. It is a world wide patent as a drug delivery system. The provisional version was filed March 2002 and the final one March 2003.

a. We will send you the patents after the Chicago meeting, I hope this is acceptable?

b. To my knowledge the Elias patent?? Is based on Ceramides-Choleasterol-fatty acid in the following ratio 3.1.1 Ours are based on phospholipid&ceramides 1,3 and 6-Cholesterol-Palmitic acid ratio 2,35.1.1 but do also include lipid precursors and of course the different lipid structures.

2. We are working with saturated lipids (what we have in the skin)and we do have stability studies on 4 different foam applications (Restoraderm neutral hand dermatitis product / 2 - Lidocaine / and Clobetasol. We are now completing stability on a BPO as well.

You do have raw materials manufactured under cGMP which is dependant on the indication of the product.

3. Anesthetic Product - I only have the results of the study (as shown in the packet I sent you - Let me know if you didn't get this? - I am waiting on the detailed information, and we just started another study as well (almost replicating the first study).

4. Vendors - Yes (we can list them on the conference call if necessary)

5. In-Vitro Penetration Studies - No - We only have the Ruby Ghadially study showing penetration of the vehicle (If you don't have this let me, and I can send to you immediately. We will conduct another study using active in Restoraderm, but this hasn't started yet.

6. Vehcile Alone - We have Ruby Ghadially study proving we are penetration the epidermis and into dermis as well.(same study as above #5)

7. In Vivo - Yes - We can now show Skin Barrier Recovery with Restoraderm equal to the gold standard petrolatum! (I can send you a slide on this is you are interested?)

Jeffrey Day

Here are the initial questions:

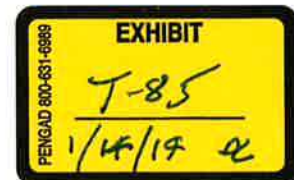
\* What patent applications have been filed on the lipid composition and how do the claims differ from those of UCSF Peter Elias' IP on Barrier Repair technology? Can we obtain a copy of the patent applications?

\* How stable are the lipids in these formulations? Do you have stability indicating assays? This may be especially important for the foam since it contains air, which can degrade unsaturated lipids.

\* Could you provide the detailed information on the clinical

data with the anesthetic product?

\* Do you have vendors who can supply the lipids according



to  
cGMP?

\* Are there any in vitro data on the penetration of compounds in their vehicle available? The most common tests are tape-stripping of cadaver or porcine skin.

\* Do you have data on the effects of vehicle alone?

\* Finally, do you have any in vivo measurements on skin barrier function following application of their lipid composition?

Thanks, we look forward to discussing further with you.

Diane Goostree  
Senior Vice President, Corporate Development  
SkinMedica, Inc.  
5909 Sea Lion Place, Suite H  
Carlsbad, CA 92008

phone 760 448-3680  
fax 760 448-3689

email [dgoostree@skinmedica.com](mailto:dgoostree@skinmedica.com)

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Arthur Jackson

From: Jeff Day [jday@collagenex.com]  
Sent: Friday, October 03, 2003 4:59 PM  
To: Thomas Sköld  
Subject: RE: (No subject)

220

Thomas,  
Jill will be calling you on Monday to discuss the new data. Things have progressed with Cardinal and there is a conference call on Tuesday, we may need to use it.

You can call her on Sunday if it is better for you!  
Can you be on the call on Tuesday.

Cell: (801) 560-6489  
Office: (801) 553-7075

Exhibit T 86  
Skold v. Galderma  
Cancellation No. 92052897

Jeff Day

-----Original Message-----

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Thursday, October 02, 2003 7:48 PM  
To: Jeff Day  
Subject: FW: (No subject)

Hello again,

This is really good news.  
It gives you a really good competitive edge against Connetics.

Regards,  
Thomas

Ps. Good luck with your new baby!



-----Original Message-----

From: rghadial@itsa.ucsf.edu [mailto:rghadial@itsa.ucsf.edu]  
Sent: Thursday, October 02, 2003 9:42 PM  
To: jday@collagenex.com; thomas-skold@telia.com  
Subject: (No subject)

Dear Jeff,  
\*\*\*\*\*Do you have a new baby yet?

Dear Jeff and Thomas,

1. I have attached Methods and Results from Transepidermal water loss measurements after 5day bid application of Olux vs Collagenex Clobetasol foam. Also photograph of skin because the Olux skin became noticeably dry and wrinkly.

2. Pretreatment with Restoraderm and then barrier assessment started this week.

Ruby

Ruby Ghadially MBChB,FRCP(C)Derm.  
Assoc. Professor, Dermatology  
Univ. of California, San Francisco  
Mailing address:  
VA Medical Center (190)  
4150 Clement St.

San Francisco, CA94118  
Ph. (415)750-2091  
FAX. (415)751-3927  
NEW EMAIL: [rghadial@itsa.ucsf.edu](mailto:rghadial@itsa.ucsf.edu)

Public

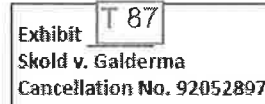
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Arthur Jackson

From: Jeff Day [jday@collagenex.com]  
Sent: Friday, October 24, 2003 3:38 PM  
To: Thomas Sköld  
Subject: RE: Follow up formulation technology: Collagenex

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Yes



-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, October 24, 2003 2:49 PM  
**To:** Jeff Day  
**Subject:** RE: Follow up formulation technology: Collagenex

OK,

I will keep that in mind while organizing something.

Ps. Novartis is the major sponsor of the caribbean derm meeting. Perhaps I should mention it to them when I see them.

Regards,  
Thomas

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Friday, October 24, 2003 8:15 PM  
**To:** Thomas Sköld  
**Subject:** RE: Follow up formulation technology: Collagenex

I agree, but I can't get them to move on a CDA.

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, October 24, 2003 2:01 PM  
**To:** Jeff Day  
**Subject:** RE: Follow up formulation technology: Collagenex

Jeff,

Let me work on this during the weekend and I will send you my ideas on Monday morning. Could we not arrange a CDA with them? Otherwise the information will be really restricted.

Rob mentioned that our patent will be official soon (I guess in March next year) but until then we should be really careful.

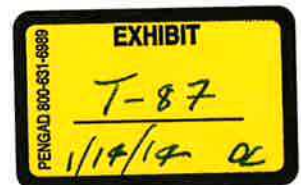
Regards,  
Thomas

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Thursday, October 23, 2003 9:08 PM  
**To:** Thomas Sköld  
**Subject:** FW: Follow up formulation technology: Collagenex

Thomas,

One of my dermatology contacts has made some in-ways into Novartis for us, and it looks as if they will at least, review our technical data on Restoraderm as a potential delivery carrier for Ellidel.



I can be reached at any of the following phone numbers:

Work: (215) 579-7388 ext. 3125  
Cell: (215) 534-4549

Thanks!

Jeffrey Day  
Vice President Dermatology  
CollaGenex Pharmaceuticals, Inc.

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Arthur Jackson

**From:** Jeff Day [jday@collagenex.com]  
**Sent:** Friday, November 07, 2003 10:19 AM  
**To:** Thomas Sköld  
**Subject:** RE: Novartis

222

I need you to talk to Ruby on this! She felt we should be using the cream, because that is what she started with before. IF you see know difference, please contact her on this directly.

JDay

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, November 07, 2003 5:54 AM  
**To:** Jeff Day  
**Subject:** RE: Novartis

Exhibit T 88  
Skold v. Galderma  
Cancellation No. 92052897

Hello again,

I would use our aerosol product. It should not make any difference and we would save time and cost. Did Ruby say anything regarding this? It is the same formulation in the aerosol canister and that is what Joe will have in his study so go for it.

Regards,  
Thomas

-----Original Message-----

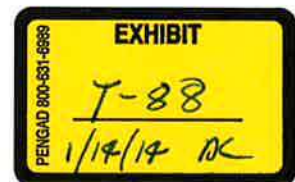
**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Thursday, November 06, 2003 10:52 PM  
**To:** Thomas Sköld  
**Subject:** RE: Novartis

Thomas,  
I spoke with Ruby today, and she did use the Restoraderm cream on the first studies, which I don't have any of. Do you have a few tubes we can use? If not, what do we do next?

JDay

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Saturday, October 25, 2003 8:50 AM  
**To:** Jeff Day  
**Cc:** Robert Ashley  
**Subject:** Novartis



So Jeff,

Technology description; should be our power point presentation.

Advantages; Ruby's comparison study Collagenex verses Olux (pictures of mousses and the diagram) together with fluorescent picture.

Development stage; mention that we have 6 stable and superior formulations with various actives (don't mention which actives).

What active; one of the uniqueness with our technology is that it is very flexible due to three different lipid structures and can be for the most substances adjusted to fit.

Patent; world wide pending since early this year.

Company info; you probably have something good. Important is the advisory board where you need to include Jim and Joe and perhaps my self when it comes to this technology.



Mention also that there are more info that can be disclosed when we have a CDA (like the Swedish report and more details of Ruby's and Joe's studies.

If you need more from me please advice. I will talk to you early Monday.

Regards,  
Thomas

Ps. I guess IDEA just wants to sell you their technology and they are taking a chance (that is at least my guess). As a transdermal vehicle I think it is very good but for dermatology product probably not due to the type of phospholipids they are using but more important the amount of surfactant (and we all know what surfactants does to the barrier function).

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Public

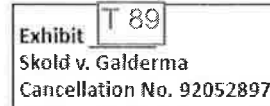
Arthur Jackson

**From:** Jeff Day [jday@collagenex.com]  
**Sent:** Thursday, July 08, 2004 9:13 AM  
**To:** Thomas Sköld  
**Subject:** RE: Derm

223

Thomas,  
I am waiting to hear back from him today on the conference call date and time.

Jeff Day



-----Original Message-----

**From:** "Thomas Sköld" [mailto:thomas-skold@telia.com]  
**Sent:** Wednesday, July 07, 2004 3:44 PM  
**To:** Jeff Day  
**Subject:** RE: Derm

Don't worry Jeff,

I'm going up stairs so give me a call (at home) if you need me otherwise talk to you tomorrow when I know what Apoteket and Tomas says about Lytra.

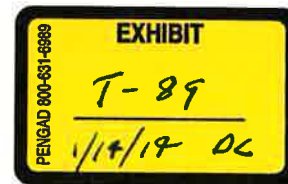
Regards,  
Thomas

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Wednesday, July 07, 2004 8:43 PM  
**To:** Thomas Sköld  
**Subject:** RE: Derm

I am waiting to hear from them on the 3:30 call.  
Sorry!

JDay



-----Original Message-----

**From:** "Thomas Sköld" [mailto:thomas-skold@telia.com]  
**Sent:** Wednesday, July 07, 2004 2:19 PM  
**To:** Jeff Day  
**Subject:** RE: Derm

Jeff,

Tomas was in the lab the entire day so I could not get hold of him. I will try again tomorrow (it goes well with BPO). If you have next week I think we should be able to make it. Tomas goes on vacation next Friday so he really needs to send them prior to that.

I will (we) certainly attend the Cayman meeting. We talked about coming in a few days earlier and stay another 2 days or so. I will confirm this with Joe as well.  
Collagenex will still take care of my expenses. We should however try to have some sort of a Restoraderm meeting to justify my trip a little bit more.

Paul just sent me an E-mail that I have promised to pass on to Ponsus. He was a nice man and hopefully it was worth it.

Are we on for 3:30 pm your time today?

Regards,  
Thomas

-----Original Message-----

**From:** Jeff Day [<mailto:jday@collagenex.com>]  
**Sent:** Wednesday, July 07, 2004 5:47 PM  
**To:** Thomas Sköld  
**Subject:** RE: Derm

See below!

-----Original Message-----

**From:** "Thomas Sköld" [<mailto:thomas-skold@telia.com>]  
**Sent:** Tuesday, July 06, 2004 3:47 PM  
**To:** Jeff Day  
**Subject:** RE: Derm

Jeff,

If we are lucky! Apoteksbolaget are filling them into tubes right now and I'm not sure if they will release them before they have the result from the microbial test. I will talk to them tomorrow and get back to you (let me know so I can schedule a trip around that? The reason I was pushing for next week, is that my meeting with Galderma in Dallas got changed, and I have next week open). We have to schedule a trip together to Florida some time you and I (I agree – I know several really cool places with awesome golf as well – summer is great since the golf courses are empty)

Note: Make sure you check with Joe on Caribbean Derm meeting for January? Cayman is a great place (high end – good for you). What does your new agreement state for travel and reimbursement?

I have talked to Paul in Dallas so the ball is rolling and we will see where it is going (was it worth it?)

Regards,  
Thomas  
Jeff Day

Ps Good luck with GSK and so you know I did send an E-mail to Joe but have not heard back from him yet and Brian sent a very pleasant E-mail back to me today.

-----Original Message-----

**From:** Jeff Day [<mailto:jday@collagenex.com>]  
**Sent:** Tuesday, July 06, 2004 8:00 PM  
**To:** Thomas Sköld  
**Subject:** FW: Derm

Thomas,

I am trying to line up a trip to Florida, and meet with Dr. Allenby, the lady who really wants to do more studies with LYTRA. Any chance I could get these by July 9<sup>th</sup> or 12<sup>th</sup>?

Jeff Day

-----Original Message-----

**From:** Joey Gegan  
**Sent:** Monday, July 05, 2004 10:11 PM  
**To:** Jeff Day  
**Subject:** RE: Derm

Hello Jeff:

We do know Dr. Kaufman. I have had lunch with her in the past. She has small children and usually does not do any after hour's activities, but for an opportunity with CGPI she may concede. Let me know what you would like to do.

Joey.

**From:** Jeff Day  
**Sent:** Wednesday, June 30, 2004 4:11 PM  
**To:** Joey Gregan  
**Subject:** Derm

Joey,  
Do you know Joely Kaufman; I think in Miami?

Do we have a relationship? Could we set up a lunch or dinner?

Jeff Day

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Arthur Jackson

**From:** Jeff Day [jday@collagenex.com]  
**Sent:** Monday, September 27, 2004 8:49 AM  
**To:** Thomas Sköld  
**Subject:** FW: Follow up - Next week

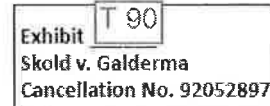
224

Thomas,  
We will also be meeting Art Clapp (VP Bus Development) at 5:00; see meeting location below!  
We will be focusing on Restoraderm education; come prepared to talk/educate!

Jeff Day

-----Original Message-----

**From:** CLAPP, Art [mailto:art.clapp@galderma.com]  
**Sent:** Friday, September 24, 2004 5:37 PM  
**To:** Jeff Day  
**Subject:** RE: Follow up - Next week



Doral Tesoro Hotel & Golf Club  
3300 Championship Parkway  
Fort Worth, Texas 76177  
Phone: 817-961-0800

**From the Dallas/Ft Worth International Airport:**

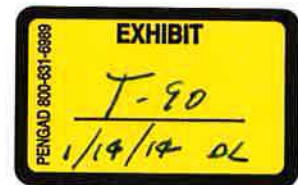
Take the North Airport Exit. Merge onto TX-114 W. Turn Left onto Championship Pkwy.

**From East:**

Take 114 West. Turn left onto Championship Parkway.

**From West:**

Take 114 East. Turn right onto Championship Parkway.



**From Fort Worth:**

Take I35W North from Ft Worth. Exit onto 114 West. Turn under the underpass. Follow 114 to Championship Parkway. Turn left onto Championship Parkway.

**From Dallas:**

Take TX-183 West. Merge onto 114 West towards Grapevine/DFW Airport North Entry. Follow 114 West to I-35W junction. Continue on 114 West under the I-35W underpass. Turn left onto Championship Parkway, just past junction.

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Friday, September 24, 2004 4:09 PM  
**To:** CLAPP, Art  
**Subject:** RE: Follow up - Next week

Can you send me directions to the Doral, or the address?

Jeff Day

-----Original Message-----

**From:** CLAPP, Art [mailto:art.clapp@galderma.com]  
**Sent:** Friday, September 24, 2004 3:58 PM  
**To:** Jeff Day  
**Subject:** RE: Follow up - Next week

5 at the Doral hotel is perfect. Art's cell phone is 817-905-2784 in case you need to get a hold of him that day.

thanks,  
Harriet

-----Original Message-----

**From:** Jeff Day [mailto:jd@collagenex.com]

**Sent:** Friday, September 24, 2004 2:45 PM

**To:** CLAPP, Art

**Subject:** RE: Follow up - Next week

5:00 would work great, since I am done with Dale Hooks at 4:30.  
Please confirm either way?  
Jeff Day

-----Original Message-----

**From:** CLAPP, Art [mailto:art.clapp@galderma.com]

**Sent:** Thursday, September 23, 2004 12:09 PM

**To:** Jeff Day

**Subject:** RE: Follow up - Next week

Jeff,

I just left you a voicemail. Art has a meeting from 8 - 5 on the 29th at the Doral hotel close to our office. Would you like to meet him at the hotel at 4 or 5 pm? He can not make it for dinner.

Please advise.

thanks,  
Harriet

Harriet Kloppers  
Assistant to Art Clapp  
Galderma Laboratories, L.P.  
14501 N Freeway  
Fort Worth, TX 76177  
Phone 817-961-5016  
Fax 682-831-9143

-----Original Message-----

**From:** Jeff Day [mailto:jd@collagenex.com]

**Sent:** Wednesday, September 22, 2004 2:11 PM

**To:** CLAPP, Art

**Subject:** RE: Follow up - Next week

Art,

I know you said your schedule is up in the air next week. I simply wanted to tell you our schedule for next Wednesday, in the event you have a few minutes to meet with Thomas Skold, the Restoraderm inventor.

9/29 - Wednesday

AM open

11:30-2:30 - not available (meeting with Abramovits)

3:00-9:00 - open

Dinner is also open as well, if you can get away!

Jeff Day

-----Original Message-----

**From:** CLAPP, Art [mailto:art.clapp@galderma.com]

**Sent:** Friday, February 27, 2004 2:07 PM

**To:** Jeff Day  
**Subject:** RE: Follow up

Dear Jeff,

I will check on the current CDA. Also below is my contact info.

Art

**Arthur Clapp**  
**V.P. Business Development & Strategic Planning**  
**Galderma Laboratories, L.P.**  
**14501 N. Freeway**  
**Ft. Worth, Texas 76177**  
**Tel: (817) 961 5005**  
**Fax: (817) 961 0035**  
**Email: art.clapp@galderma.com**

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Friday, February 27, 2004 12:30 PM  
**To:** CLAPP, Art  
**Subject:** FW: Follow up

Art,

Can you check to see if the existing CDA is applicable? If not; do you want to redraft or have us draft a new one? If you need a copy of the existing agreement, I can fax this to you.

Please email me your contact information.

Jeffrey Day  
Vice President Dermatology.  
CollaGenex Pharmaceuticals, Inc.  
(215) 579-7388 ext. 3125

---

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Public

Arthur Jackson

**From:** Jeff Day [jday@collagenex.com]  
**Sent:** Monday, July 12, 2004 10:20 AM  
**To:** Thomas Sköld  
**Subject:** RE: Dan Pacquadio, MD - Derm - Product Develop Co

225

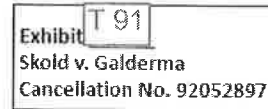
Thomas,

Can you call him earlier than 9:00 West Coast; try at 8:00 on his Cell phone, and he will get it when he goes to work. I am hoping you guys can pull it off in this AM.

Jeff Day

-----Original Message-----

**From:** "Thomas Sköld" [mailto:thomas-skold@telia.com]  
**Sent:** Monday, July 12, 2004 6:05 AM  
**To:** Jeff Day  
**Subject:** RE: Dan Pacquadio, MD - Derm - Product Develop Co



Jeff,

We left for our island on Friday and unfortunately I just opened up my E-mails (I is Monday morning). I can try to give him a call on his cell at noon east cost time which should be around 9 am for him then.

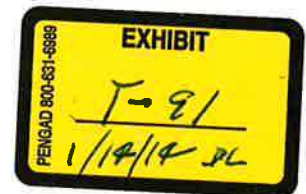
I will so you know be available Monday through Thursday. On Thursday we are going out to our island again and this time for about 2 weeks.  
For you only +46 176 94040 is our number out there.

Regards,  
Thomas

Ps. Lytra samples will be sent to you tomorrow Tuesday unless we have a microbial problem. You should then have them at your office Thursday/Friday this week.

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Saturday, July 10, 2004 8:15 PM  
**To:** Thomas Sköld  
**Subject:** Dan Pacquadio, MD - Derm - Product Develop Co



Thomas,

Dan is the guy I was trying to get the phone meeting set up with last week. I sent him a sample and presentation (we have a CDA); which he received today (Saturday). He was trying to set up a call with me this weekend; but we have our daughters Baptism this weekend. Do you have a few minutes you give him a call this weekend (Sunday); he is traveling Mon-Thurs? He is evaluating the product (LYTRA) and technology for DUSA; which is interested in LYTRA/Ceracel and a few other Restoraderm based products. He is meeting with DUSA on Wednesday, so it is important for us to talk with him.

Let me know if you are able to call him on Sunday? He is in California (so know the time change).

Jeff Day

Dan Piacquadio, MD  
Dermatologist  
President - Therapeutics, Inc.  
(619) 297-7058 (home number for weekend)  
Cell (619) 889-7058 (during the week)

You can pull up Therapeuticsinc.com

Note: He does know Connetics, so know that going into the call!

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Arthur Jackson

From: Jeff Day [jday@collagenex.com]  
Sent: Monday, August 09, 2004 9:03 AM  
To: Thomas Sköld  
Subject: FW: Follow up

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Thomas,  
See response from Abramovitz on talking and meeting with you. Dazzle him with your expertise, and let's provide him with data for his lecture. He is great at promoting companies and products, and we will get this at the Caribbean derm. Let me know if and when you get things set up.

Jeff Day

-----Original Message-----

From: waresearch@texasderm.com [mailto:waresearch@texasderm.com]  
Sent: Friday, August 06, 2004 7:11 PM  
To: Jeff Day  
Cc: 'Jennifer Beasley'; Susan Futch  
Subject: Re: Follow up

Exhibit T 92  
Skold v. Galderma  
Cancellation No. 92052897

Jeff:

Sounds great!

I just today got the program for Caribbean Derm. Dr. Fowler assigned me a 45min. slot to talk on moisturizers. My total non-BSing knowledge on the subject can only be stretched to about 15min.; so, I very much look forward to meeting the gentleman. Do get me involved. Thanks,  
William.

On Aug 6, 2004, at 9:59 AM, Jeff Day wrote:

> Okay- Good luck.  
> In addition; I will have our Restoraderm inventor contact you next week to discuss our technology, barrier recovery product... I would really like to have you involved with this project.  
> I am working to renew your consulting agreement so we can move forward on this project.

>  
> Jeff Day

> -----Original Message-----

> From: William Abramovits, MD [mailto:waresearch@texasderm.com]  
> Sent: Wednesday, August 04, 2004 4:47 PM  
> To: Jeff Day  
> Subject: Re: Follow up

> Dear Jeff:

>  
> I did talk to the Omnilux people. They finally agreed to end the red light which improved the likelihood of improving the patients.  
>  
> I am having dinner with the new CEO of Galderma next Wednesday. Still this may not apply, but I'll explore a way to finance 15 more patients so that we could have a placebo arm that will make the data solid enough for publication with a good journal.  
>  
> Ill get back to you ASAP.  
>  
> Cordially,  
> William  
>  
>



> ----- Original Message -----  
> From: "Jeff Day" <jday@collagenex.com>  
> To: "William Abramovits, MD" <waresearch@texasderm.com>  
> Sent: Friday, July 23, 2004 8:28 AM  
> Subject: RE: Follow up  
>  
>  
> Dr. Abramovits,  
> I am just following up to see if you had a chance to update the study  
> protocol (Blue Light + Periostat + Differin)? Any chance you are in  
> NYCity (AAD) over the weekend; Saturday PM or Sunday? If so; I was  
> hoping we could nail this study down!  
> Note: I am going to have the inventor of Restoraderm (water/lipid  
> product and delivery system I showed you) call or email you in a week  
> or so. Just so you know who is calling/emailing; his name is Thomas  
> Skold.  
>  
> If you want to talk with him at any selective time; feel free to email  
> him at Thomas-skold@telia.com.  
>  
> Note for study:  
> -12-15 patients  
> -Add Differin  
> -No placebo  
>  
> Jeffrey Day  
>  
>  
>  
> -----Original Message-----  
> From: William Abramovits, MD [mailto:waresearch@texasderm.com]  
> Sent: Thursday, April 01, 2004 1:20 PM  
> To: Jeff Day  
> Cc: Jennifer Beasley  
> Subject: Re: Follow up  
>  
> Dear Jeff:  
>  
> As I have not been too happy with Peter Close - I could use the  
> countact with vogel and call him. Kindly call or email Jennifer  
> Beasley and give her this information; I'll be seeing the Omnilux group  
> at the ASLMS Meeting the day after tomorrow. Will try to accelerate  
> the issue then.  
>  
> Cordially,  
>  
> William  
>  
>  
>  
> ----- Original Message -----  
> From: "Jeff Day" <jday@collagenex.com>  
> To: <waresearch@texasderm.com>  
> Sent: Wednesday, March 31, 2004 1:15 PM  
> Subject: RE: Follow up  
>  
>  
> Dr. Abramovits,  
> Thanks for the phone call today and good luck on your end with  
> Galderma support of the study. In the event they are not interested,  
> I wanted to get started to work on the Blue Light side as well to gain  
> possible support.  
>  
> Please help me with a few contact updates: (I am new in the laser  
> side of the business)  
> - This guy below (see below your previous email) is from

> Phototherapeutics, correct? Do they own Omnilux line?

> - You introduced me to a Barry Vogel at AAD from Canderm. Is he the

> US distributor representing Omnilux? Is he someone I should be

> contacting as well, or stick with Phototherapeutics?

>

> Sorry for these questions, but as I stated above, I am new to the

> cosmetic and laser side of the business, and I am trying to get things

> straight before moving forward with phone calls.

>

> Jeff Day

> Vice President Dermatology

> CollaGenex Pharmaceuticals, Inc.

>

>

> -----Original Message-----

> From: waresearch@texasderm.com [mailto:waresearch@texasderm.com]

> Sent: Friday, February 20, 2004 7:08 PM

> To: Jeff Day

> Cc: Jennifer Beasley

> Subject: Re: Follow up

>

> Jeff:

> Can't wait to start.

> pclose@alderm

> Peter has been a tough negotiator.

> Consider co e-mailing Steve Baker: steve.baker@phototherapeutics.com

> he seems more congenial and interested in fostering research from

> home

> office in England.

> Cordially,

> William.

> PD: It was a pleasure meeting with the bigwigs. Thank you!

>

>

> On Feb 19, 2004, at 5:16 PM, Jeff Day wrote:

>

>> Dr. Abramovits,

>>

>> I wanted to let you know that I am following up on the Blue Light +

>> Differin + Periostat study we discussed at the AAD. I have

>> contacted

>> Galderma, and we are working on setting up a phone meeting for next

>> week (Art Klapp). Can you provide me with Peter Close's email

>> address? I would like to contact him as well?

>>

>>

>>

>> I will follow up directly with you once I have made contact with the

>> above people.

>>

>>

>>

>> Jeffrey Day

>>

>> VicePresidentDermatology

>>

>> CollaGenex Pharmaceuticals, Inc.

>>

>>

>>

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> may be unlawful. Thank you.  
>  
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>  
>  
>

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Arthur Jackson

**From:** Jeff Day [jday@collagenex.com]  
**Sent:** Tuesday, August 17, 2004 12:36 AM  
**To:** Thomas Sköld  
**Subject:** FW: Follow-up

**Importance:** High  
**Sensitivity:** Confidential

Exhibit T 93  
Skold v. Galderma  
Cancellation No. 92052897

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Here is what Ranbaxy wants to do.

JDay

-----Original Message-----

**From:** Deborah McRonal [mailto:Deborah.McRonal@ranbaxy.com]  
**Sent:** Monday, August 16, 2004 12:37 PM  
**To:** Jeff Day  
**Cc:** Chuck Caprariello; Jeffrey Thomas; Kathleen Spreen; Richard Hooten; Russell Senyk; Edward Szostak  
**Subject:** Follow-up  
**Importance:** High  
**Sensitivity:** Confidential

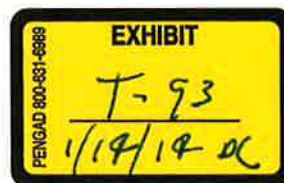
Dear Jeff:

As discussed, we would be interested in holding a videoconference with you, Klaus Theobold and the inventor of the Restoraderm platform to discuss the possibility of creating a Restoraderm foam that contains testosterone. We would be interested in developing a product that is better than or equivalent to Androgel.

We are looking into availability on our side this Friday and next week. I will get back to you with some proposed dates/times. In the meantime, since you are speaking with the inventor, if there are a few dates/times that are preferable from your side, please let me know.

Thanks in advance! Warm regards, *Deborah*

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Arthur Jackson

**From:** Brad Zerler [bzerler@collagenex.com]  
**Sent:** Friday, September 10, 2004 2:10 PM  
**To:** thomas-skold@telia.com  
**Subject:** Ranbaxy Project Outline  
**Attachments:** Restoraderm+ Testosterone Project Outline.doc

228

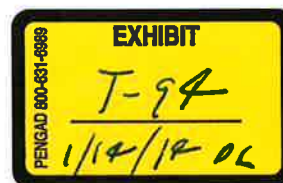
Thomas: We need to provide Ranbaxy a project plan outline ASAP. To facilitate the process I have attached a brief draft. Would you please review and make appropriate changes and then fill in the blanks for timeframes and costs. Thanks, Brad.

Brad Zerler, Ph.D.  
Vice President, Research  
CollaGenex Pharmaceuticals, Inc.  
41 University Drive, Suite 200  
Newtown, PA 18940

Exhibit T 94  
Skold v. Galderma  
Cancellation No. 92052897

Voice: 215-579-7388  
Fax: 215-579-8577  
E-mail: [bzerler@collagenex.com](mailto:bzerler@collagenex.com)

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**Restoraderm + Testosterone**

**Draft Outline for Feasibility Project**

**Project Goal:** FDA approval of a Restoraderm foam containing Testosterone as active ingredient.

**CMC Section**

- Pilot Scale **Start: Oct. '04**
  - 4 pilot formulations on a lab scale **X months**
  - small scale clinical grade material **X months**
  - initiation of stability testing **X months**
  - 3 month stability as milestone to initiate a pre-IND meeting **3 months**
- Assumptions
  - Ranbaxy has preclinical models readily available
  - Only one formula on stability
  - API readily available
  - Batch size of 10 kg
  - Testosterone level of 1%
- Cost
  - Formulation development \$ \_\_\_\_\_
  - Raw materials (testosterone not included) \$ \_\_\_\_\_
  - Manufacturing \$ \_\_\_\_\_
  - Stability testing \$ \_\_\_\_\_



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Arthur Jackson

From: Greg Ford [gford@collagenex.com]  
Sent: Friday, March 04, 2005 1:17 PM  
To: ktheobald@collagenex.com; bzerler@collagenex.com; "Thomas Sköld"; Andrew Powell  
Subject: FW: Restoraderm

Sensitivity: Confidential

229

fyi

-----Original Message-----

From: Deborah McDonald [mailto:Deborah.McDonald@ranbaxy.com]  
Sent: Friday, March 04, 2005 9:03 AM  
To: Greg Ford  
Subject: RE: Restoraderm  
Sensitivity: Confidential

Exhibit T 95  
Skold v. Galderma  
Cancellation No. 92052897

Dear Greg:

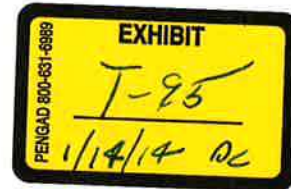
Good to hear from you and I hope you are well! I will actually be in NYC for most of the week for DCAT. Let me check everyone's schedules and I will get back to you perhaps we can meet on 3/17 (although I may still be in the city) or on 3/18.

This is certainly a priority for us, as I am sure it is for you, so we'll get a date and time together.

I have an action packed day, but will be back to you early next week. Warm regards,  
Deborah

-----Original Message-----

From: Greg Ford [mailto:gford@collagenex.com]  
Sent: Wednesday, March 02, 2005 8:25 AM  
To: Deborah McDonald  
Cc: Klaus Theobald; Brad Zerler  
Subject: Restoraderm  
Importance: High



Deborah,

I received your voicemail and wanted to confirm that we have selected a revised formulation of Restoraderm. This formulation is very similar to the previous, only all excipients are compendial and thus, will be approvable by FDA. We have just made samples that are in transit to my office (from Sweden) and I should have them early next week. I suggest that we get together the week of March 14th to present the formulation, regulatory status, and for you to see the samples (unfortunately, Klaus is out all next week or we would do then). Does this work for you?

Thanks,  
Greg

Greg Ford  
VP, Business Development & Strategic Planning Collagenex Pharmaceuticals, Inc.  
gford@collagenex.com  
ph: 800-613-7847 x3120

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Arthur Jackson

**From:** Bartke, Uli [Uli.Bartke@INyX-Pharma.co.uk]  
**Sent:** Tuesday, September 28, 2004 9:49 AM  
**To:** thomas-skold@telia.com; gford@collagenex.com; Brad Zerler  
**Cc:** Karbasi-Esfahani, Mondana; Carmichael, Christine; Jenkinson, Phil; Hamer, John; Dr. Jack Kachkar; Handley, Steve; Hunter, Colin; John McPartland  
**Subject:** Meeting Collagenex, Sept 27, 2004  
**Importance:** High

230

Dear Greg, Brad and Thomas,

It was a pleasure to meeting you today and to discuss the next steps of the Restoraderm project. As agreed, I have summarized the main information provided and the list of actions below. Please feel free to edit or amend.

Exhibit T 96  
Skold v. Galderma  
Cancellation No. 92052897

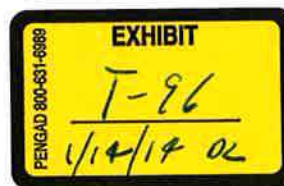
Best wishes  
Uli

Uli Bartke, Ph.D  
VP Sales & Marketing  
INyX Inc  
www.inyxinc.com  
office: +44 1928 532 226  
fax: +44 1928 579 827  
cell: +44 7834 432 778

## Products:

### 1. Restoraderm Clobetasol

18 month stability data available  
Clinical trial to start Q4 2004  
Requested Timelines: Launch June 2007  
Filing NDA: Q3 2006  
Start stability program: Q2 2005  
Validation batches: Q1/Q2 2005  
Scale up / Experimental batch: Q1 2005



#### Commercial presentations:

Carton with 6 bottles @ 50g each  
Samples: 10g bottles or higher, if required by filling equipment

#### Commercial volumes:

Y1: 38,500 x 6 = 231k bottles = 11,550 kg bulk  
Plus significant amount of samples: tbd  
Y2: 83,000 x 6 = 498k bottles = 24,900 kg bulk  
Y3: 137,000 x 6 = 822k bottles = 41,100 kg bulk

#### Manufacturing process outline:

Prepare 3 individual solutions/suspensions, (Foam, Vesicle and Hydrophilic solution/suspension)

Requires 4 jacketed stainless steel vessels with heating, cooling, stirring, clean in place capability (to be specified)  
(3 vessels @ ca 250kg size, 1 vessel @ around 600 kg assuming batch size of ca 500 kg)

Requires clean room for manufacturing of bulk (classification tbd)

Requires Homogenizer (Ultra Turrax or similar, to be specified)

Prepare final bulk

Requires high pressure mixing equipment (APV (1,500 bar), to be specified)

## **2. Restoraderm BPO**

2 month stability data available  
Go / no go decision 12 / 2004  
No clinical trial required  
Monograph product, no NDA required

Requested Timelines: Launch June 2005  
Start stability program: Q1 2005  
Validation batches: Q1 2005  
Scale up / Experimental batch: Q1 2005

Commercial presentations:  
Carton with 6 bottles @ 50g each  
Samples: 10g bottles or higher, if required by filling equipment

Commercial volumes:  
Y1: 26,000 x 6 = 156k bottles = 7,800 kg bulk  
Plus significant amount of samples: tbd  
Y2: 71,000 x 6 = 426k bottles = 21,300 kg bulk  
Y3: 136,000 x 6 = 816k bottles = 40,800 kg bulk  
Y4: 205,000 x 6 = 1,230k bottles = 61,500 kg bulk  
Y5: 259,000 x 6 = 1,554k bottles = 77,700 kg bulk  
Y6: 298,000 x 6 = 1,788k bottles = 89,400 kg bulk

Manufacturing process outline:  
Prepare 2 individual solutions/suspensions,  
Requires 3 jacketed stainless steel vessels with heating, cooling, stirring, clean in place capability (to be specified)  
(2 vessels @ ca 250kg size, 1 vessel @ around 600 kg assuming batch size of ca 500 kg)  
Requires clean room for manufacturing of bulk (classification tbd)  
Requires Homogenizer (Ultra Turrax or similar, to be specified)  
Prepare final bulk  
Requires high pressure mixing equipment (APV (1,500 bar), to be specified)

Feed back from Astmoor site visit  
Bulk manufacturing area is of concern, needs significant upgrade

### **Action list:**

1. INyX to provide filling capacity for Hydro Carbon line for 1/2 shift operation act Mondana by Oct 4.
2. CollaGenex to provide commercial batch size for BPO and Clobetasol product (potentially two different batch sizes) act. Greg by Oct 8
3. CollaGenex to provide cost for bulk solution (BPO and Clobetasol) act. Greg by Oct 8
4. CollaGenex to provide copy of relevant IMS data act Greg by Oct 8
5. CollaGenex to provide full specifications for raw materials / components / bulk and finished products act Greg by Oct 8

5. INyX to provide Quotations for
- necessary capital investment
  - Method transfer
  - Scale up ( 12kg to 500kg plus) / experimental batch (full batch size)
  - 3 Process Validation batches (full batch size)
  - stability study (3 PV batches),  
Time points: 1;2;3;6;9;12;15;18;24;30;36 month
  - Other validation studies (Cleaning / Computer)
- act. Uli/Christine by Oct 22
6. INyX to provide upgrade plan for Bulk manufacturing area
- act Phil by Oct 22
7. CollaGenex to provide go/no go decision
- act. Greg by Nov 5
8. INyX to arrange for 3 party meeting (CollaGenex / STIEFEL / INyX)
- To discuss potential commercial collaboration between  
CollaGenex and Stiefel for marketing of products in US (and elsewhere)  
Potential meeting dates:  
Thursday, Oct 7 in Atlanta  
Friday, Oct 8 in Newtown, PA
- act Uli asap

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Arthur Jackson

**From:** Greg Ford [gford@collagenex.com]  
**Sent:** Tuesday, June 14, 2005 3:16 PM  
**To:** thomas-skold@telia.com  
**Subject:** Restoraderm

231

Hi Thomas,

I hope all is going well with you and the development team! I would like to discuss Restoraderm with some potential clients, both the "new" vehicle (for active delivery) and the "old" version that could be still sold as an OTC.

Would you please prepare a technical presentation and send to me for the above. I assume the only difference with the "old" version is that the propellant could be changed. Please say hello to Ann and let's get together soon!

Best regards,  
Greg

Greg Ford  
VP, Business Development & Strategic Planning  
CollaGenex Pharmaceuticals, Inc.  
gford@collagenex.com  
ph: 800-613-7847 x3120

Exhibit T 97  
Skold v. Galderma  
Cancellation No. 92052897

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~~CONFIDENTIAL~~

Arthur Jack....

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**From:** Greg Ford [gford@collagenex.com]  
**Sent:** Monday, January 22, 2007 2:05 PM  
**To:** Thomas Sköld  
**Subject:** RE: I had a good week

Thomas,  
I'm glad to hear you and Anne arrived back safely. I look forward to the data as well and will certainly let you know. I have been in touch with Pfizer and this is now with JNJ. We have been in contact with JNJ and I will let you know how that goes too.  
All the best,  
Greg

---

**From:** Thomas Sköld [mailto:thomas-skold@telja.com]  
**Sent:** Monday, January 22, 2007 2:01 PM  
**To:** Greg Ford  
**Subject:** I had a good week

Hi Greg,

I hope you got back safe and sound. Anne and I just got back and it took us 23 hours totally. You could say that we are a little bit tired right now and hope tomorrow will be better. Any way I just wanted to say hi and thank you and I look forward hearing from you as soon as you have data from the new developments.  
Also I met someone who perhaps can assist us in finding partners (a Derm) but I told him that I would be getting back to him some time in April to see what we can do.

All the best,  
Thomas

---

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Arthur Jackson

From: Thomas Sköld [thomas-skold@telia.com]  
Sent: Thursday, August 09, 2007 4:37 AM  
To: [REDACTED]  
Subject: SV: FW: LiPoint Materials

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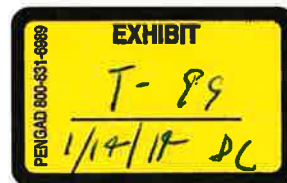
[REDACTED]  
Thanks and in the mean time I will conduct some research of what is official in regards to other technologies including yours.  
I look forward talking to you in a near future.  
Regards,  
Thomas

Från: [REDACTED]  
Skickat: den 9 augusti 2007 02:35  
Till: Thomas Sköld  
Kopia: [REDACTED]  
Ämne: RE: FW: LiPoint Materials

Thomas  
That sounds like a plan and we will await your guidance from your counsel to take next steps.  
Regards  
[REDACTED]

[REDACTED]

[REDACTED]



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Thomas Sköld <thomas-skold@telia.com>  
Sat 04 Aug 2007 09:05 AM

[REDACTED]

[REDACTED]

Good morning [REDACTED]

Let me talk to my attorney here in New York next week and get back to you unless he is on vacation which might be the



case.

We will structure the various options but when it comes to the certain path we will take, I believe that is something that we should together agree upon after our so called due diligence. Each option will reflect us all a bit differently and my approach to Collagenex will be based I think on a potential new partners interest level in the technology (how and where it will fit in that new organization).

Have a pleasant weekend.

Regards,  
Thomas

---

**From:** [REDACTED]  
**Sent:** den 4 augusti 2007 11:13  
**To:** Thomas Sköld  
**Cc:** [REDACTED]  
**Subject:** Re: FW: LiPoint Materials

Thomas

Thank you for the follow up and update. I think, unless [REDACTED] feels differently, that once you have clarity on a way forward with Collagenex and a path for us to explore options is clear, we should move forward with a CDA. However, I think absent that path and options it may be premature to sign a CDA and discuss options as too many things could change leaving us with lots of work and discussions and no way forward.

Is that acceptable?

Regards  
[REDACTED]

[REDACTED]

[REDACTED]

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Thomas Sköld <thomas-skold@telia.com>  
Fri 03 Aug 2007 10:36 PM

[REDACTED]

Gentlemen,

Enclosed please find information regarding the systemic technology (still with some editing problems) as promised.

About my meeting with [REDACTED] which as usual was a pleasant one, I got some info and more important his support in working with me on this. They are not ready to give it up as I thought but at the same time they need another 2-3 months to decide what two products to pursue. He is not aware of our meeting but I said that I do have a few options that I am looking in to and that money and projects/products needs to be resolved in a near future even if that means that we divide the technology where Collagenex gets the opportunity to keep two or maximum three products (defined in one way or the other).

If you do see an interest in Restoraderm we should in a very near future sign a CDA since I have some more info that I would like to share with you and also so that I can analyze the fit within your portfolio.

All the best,  
Thomas

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Arthur Jackson

**From:** Thomas Sköld [thomas-skold@telia.com]  
**Sent:** Thursday, February 09, 2012 5:31 AM  
**To:** 'Thomas Sköld'  
**Subject:** FW: Document [REDACTED]

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**From:** [REDACTED]  
**Sent:** den 10 december 2007 19:57  
**To:** Thomas Sköld  
**Subject:** Re: Document

Thomas

I talked to [REDACTED] folks over the weekend , I was in Southern California and they already have a deal with [REDACTED] to develop all their formulations and ofcourse they are willing to meet and listen but I don't think anything will happen in the short run so that leaves us Galderma next in line so let me know how you feel about them

leon

----- Original Message -----  
**From:** Thomas Sköld  
**To:** [REDACTED]  
**Sent:** Friday, December 07, 2007 1:59 PM  
**Subject:** SV: Document

Thanks [REDACTED]

I didn't know that. You should talk to him and then we will see sais about owning their own technology.  
 I hope you were winning in Vegas!

Have a great weekend,  
 Thomas

**Från:** [REDACTED]  
**Skickat:** den 7 december 2007 19:09  
**Till:** Thomas Sköld  
**Ämne:** Re: Document

Thomas

there are all new people but I knoe the CEO , I was with him last weekend in Vegas so I'll talk to him

leon

----- Original Message -----  
**From:** Thomas Sköld  
**To:** [REDACTED]  
**Sent:** 06, 2007 7:07 AM  
**Subject:** SV: Document

Leon,

About [REDACTED], her name is [REDACTED] the lady I met. If she is still with them I don't know? (Senior Vice president Corporate Development)  
 I might be good to know when you do talk to them.

All the best,  
 Thomas



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**Från:** [REDACTED]  
**Skickat:** den 4 december 2007 21:16  
**Till:** Thomas Sköld  
**Ämne:** Re: Document

ok then with your permission I'll work on it

----- Original Message -----

**From:** Thomas Sköld  
**To:** [REDACTED]  
**Sent:** Tuesday, December 04, 2007 2:19 PM  
**Subject:** SV: Document

[REDACTED] Yes why not! I know they had an interest in it while Jeff Day was working at Collagenex (2004 I believe). I then met a very nice lady but I don't recall her name and she expressed an interest that Collagenex never followed up unfortunately.

Regards,  
Thomas

---

**Från:** [REDACTED]  
**Skickat:** den 4 december 2007 17:34  
**Till:** Thomas Sköld  
**Ämne:** Re: Document

How about [REDACTED]???

----- Original Message -----

**From:** Thomas Sköld  
**To:** [REDACTED]  
**Sent:** Tuesday, December 04, 2007 4:37 AM  
**Subject:** SV: Document

Hi [REDACTED]

If you have someone fairly close to you, Yes absolutely! My option is either incorporate Restoraderm within LiPoint (nasal delivery) and from them out license specific products one by one or to talk to other companies. I also know that [REDACTED] have an interest but I don't know that much about their resources unfortunately. I believe that [REDACTED] could have an interest in one combination drug since such a product would not be a conflict to any one of the delivery system they already have. We have about 15 stable formulations to date with Restoraderm and I believe the [REDACTED] product would be of great interest to most derm companies but there are also other Rx formulations that should render an interest.

If you have an idea about a partner let me know.

All the best,  
Thomas

---

**Från:** [REDACTED]  
**Skickat:** den 3 december 2007 20:13  
**Till:** Thomas Sköld  
**Ämne:** Re: Document

Thomas

oh well  
do you want me to find somebody else???

----- Original Message -----

**From:** Thomas Sköld  
**To:** [REDACTED]  
**Sent:** [REDACTED] 2007 2:11 PM  
**Subject:** SV: Document

Hi [REDACTED]

I just got a word from [REDACTED]. Unfortunately they will pass on this opportunity due to conflict with existing projects he said. Sad since I think that being in the front you should also try to have what would be referred as sate of the art. That's life! You never can predict how it's going to end.

If you have any other ideas I'm open to all suggestions since I now know that Restoraderm is available.

All the best,  
Thomas

---

**Från:** [REDACTED]  
**Skickat:** den 20 november 2007 19:14  
**Till:** Thomas Sköld  
**Ämne:** Re: Document

great  
see you '

----- Original Message -----

[REDACTED] 11:00 AM  
**Subject:** SV: Document

I'm sorry we won't see you wown there on St Thomas but there will be more meetings in the Caribbean.  
I will let you know if there is something that could be done but I think it needs to go into their ordinary process in one way or another first. If you do talk to them just ask how things goes on their end.  
If I hear anything I will let you know. Stiefel would do good with the technology and I with them so I really hope we will get to a partnership.

All the best,  
Thomas

---

**Från:** [REDACTED]  
**Skickat:** den 19 november 2007 20:52  
**Till:** Thomas Sköld  
**Ämne:** Re: Document

Thomas

I am glad things are moving.  
I don't think I will be coming to Carribean Derm ,I have couple of other meetings .However if you come to mainland let me know I think I will be in Florida that week  
Please let me know if there is anything I can do with [REDACTED] process I just had dinner with Brent and Todd and their wives in South Beach 2 weekends ago so I do see them quite often

----- Original Message -----

**From:** Thomas Sköld  
**To:** [REDACTED]  
[REDACTED] 7, 2007 5:37 AM  
**Subject:** SV: Document

Dear [REDACTED]

I hope all is well with you.

Finally things start to clear with Collagenex. They have now confirmed that they don't have the resources to develop the 5 products we have agreed upon (5 times \$11 MM) which means that Brent and I can finally start our

██████████ St ██████████ do have their official process with these matters that hopefully will start some time next week. I have asked Brent to speed their process up since when this gets official I will certainly get phone calls from other friends of mine (smaller companies like ██████████) and I really would like to partner up with ██████████ So the next few weeks will be very interesting.

Will we see you at the Carib derm meeting in January? Anne and I will leave Sweden on January 13<sup>th</sup> and stay on St Thomas until the 20<sup>th</sup> to go to Anguilla for a few days. After Anguilla we will take a few days on St Martin before going back home again.

All the best,  
Thomas

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Arthur Jackson

**From:** Thomas Sköld [thomas-skold@telia.com]  
**Sent:** Thursday, January 31, 2008 5:51 AM  
**To:** [REDACTED]  
**Subject:** SV: Drug delivery platform

Exhibit T 101  
 Skold v. Galderma  
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I understand your position. And you are right; you can find most info from the Internet now a day. However there are a few things that I then would like to take verbally when we see each other which we will have time for. I will on Monday send you a brief presentation of the technology and we will take it from there.

Regards,  
 Thomas

**Från:** [REDACTED]  
**Skickat:** den 31 januari 2008 09:38  
**Till:** Thomas Sköld  
**Ämne:** RE: Drug delivery platform

Thjomas , what is it that is so confidential ? I work for an American company... and we are reluctant to sign CDA's .  
 thanks [REDACTED]

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Wednesday, 30 January 2008 20:16  
**To:** [REDACTED]  
**Subject:** Drug delivery platform

Dear [REDACTED]

I'm finally back in Sweden.

I would like to share some information with you prior to our meeting and I therefore suggest that we put a CDA in place as soon as possible. I believe you have a standard version that you would like to use. So if it is ok by you please send me a signed copy via fax and I will return it immediately to you after I have signed the same.

Fax +46 176 22 44 20  
 Phone +46 176 22 44 00  
 Cell +46 70 660 00 40

Thomas Sköld  
 Björnö Gård  
 SE-761 41 Norrtälje  
 Sweden

[Thomas-skold@telia.com](mailto:Thomas-skold@telia.com)

Regards,  
 Thomas



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Arthur Jackson

**From:** [REDACTED]  
**Sent:** Saturday, January 30, 2010 9:32 AM  
**To:** Thomas Sköld  
**Cc:** [REDACTED]  
**Subject:** RE: Restoraderm Technology  
**Attachments:** Confidentiality Agreement (form)(RLI).doc

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Dear Thomas,

Glad to hear you had a good time. Next week I will have an opportunity to discuss some projects with senior management. I will present this as a concept just to see if there are any immediate red flags or clarifications raised before we go down a path.

We will have to sign a CDA (copy attached) and once we receive the ownership documents we can initiate the discussions.

[REDACTED]

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Saturday, January 30, 2010 9:22 AM  
**To:** [REDACTED]  
**Subject:** Restoraderm Technology

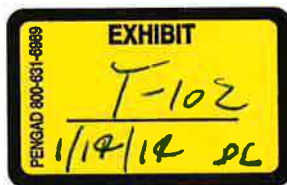
Dear Ashish,

I wanted to drop you a few quick lines now that we are back in Sweden. Anne and I got some quality time with [REDACTED] since the four of us stayed a bit longer on Puerto Rico before leaving for St Martin and Anguilla. [REDACTED] believes strongly in a partnership between [REDACTED] and me and as you know I have big confidence in [REDACTED] opinion. You and I talked about [REDACTED] as the "first" couple of products. For the [REDACTED] I need to do some preliminary development work to be comfortable about the project and need some info/input from you before I can start. Added to the lactic acid is ammonium hydroxide to achieve ammonium lactate to provide a pH of about 5. Can you provide me with the correct amount you are using and also the preferred pH value. As a lipid foam one would like to stay higher than pH 5 (I have been successful with salicylic acid at pH 4.5 though).

I'm told by Galderma which is now confirmed by Khune & Nagel (shipper) that my parcel is on its way over to me. Unfortunately by ship due to the amount of samples being returned as well so it might take another 7-10 days before I receive all the data/asset. I will however during the week forward you some data in regards to the Clobetasol product and also evidence that I'm the rightful owner.

We should develop a mutual agenda on how to proceed and get this done as quickly as possible. Please let me know how [REDACTED] would like to do this.

All the best,  
Thomas Sköld



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Arthur Jackson

From: [REDACTED]  
Sent: Wednesday, February 10, 2010 4:32 PM  
To: Thomas Sköld  
Subject: Re: SV: SV: travel

Thomas,  
The [REDACTED] situation sounds promising. We leave the snow for Hawaii Derm on Saturday, returning Monday 2/22. It won't be as much fun as the Caribbean meeting, but will be lots better than working!

Best,  
Joe

From: Thomas Sköld  
Sent: Wednesday, February 10, 2010 7:24 AM  
To: [REDACTED]  
Subject: SV: SV: travel

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Dear [REDACTED]

Even though we are glad you made it home I guess one more week down there wouldn't have hurt that much would it? We definitely got home to early at least.  
However, with all the documents that has arrived from Galderma recently I sure needed the time here at home. [REDACTED] has invited me to [REDACTED] and I have suggested the week starting with Feb 22<sup>nd</sup>. I know they had a management meeting last week to partly talk about Restoraderm but I'm not sure exactly where they are. It might be that we will try to get you down at the same time but I have to leave that up to [REDACTED] and his crew.

We still have a lot of snow but it is much milder. Right now it's really nice actually even though Spring is much nicer.

Say hi to [REDACTED] from us both and I will keep you up to date with my progress with [REDACTED]

All the best,  
Thomas

Från: [REDACTED]  
Skickat: den 7 februari 2010 16:56  
Till: Thomas Sköld  
Ämne: Re: SV: travel

Well,  
We made it home last night-- only 2 inches of snow here, but also 21 degrees ( F). Sorry again we couldn't be brave enough to get to see you in SXM. Good luck with everything with the new products.  
I hope things work out with [REDACTED] and if you need me to do anything, of course, just let me know.

Love from Louisville,  
Joe & Lynn

From: Thomas Sköld  
Sent: Friday, January 29, 2010 11:00 AM  
To: [REDACTED]  
Subject: SV: travel

Hi there folks!

This e-mail comes from home where we have received 15 inches of snow the last two days. I can't really understand why we decided to leave St Martin this early. We are missing it already and we have only been home for a few hours (shovelling snow most of the time). We had a great time but we were lazy. We never got to Pinel Island and not to the Radisson either. We decided to do as little as we possibly could and we did a good job doing it. There will be more times for us to go out to Pinel Island together I'm sure. Actually the weather wasn't really good and the sea kind of rough. However yesterday when we left (5PM) it was beautiful. Didn't make it any easier to leave I can tell you. However the island will still be there for next time and Anne and I talked about going there at one of our US trips. So we would fly into St Martin (adjusting for a few days) and then up to New York to work. Could be something!

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I will communicate with [REDACTED] next week to see how we should take this further. I have decided to go a head with them what ever happens with others. If [REDACTED] would like to acquire the technology they just have to accept the fact that [REDACTED] have 2 or more products with it.

We will be thinking of you this week and make sure you have a very good time.

All the best,  
Thomas

---

**Från:** [REDACTED]  
**Skickat:** den 28 januari 2010 14:34  
**Till:** Thomas Sköld; Thomas Sköld; Lynn Fowler  
**Ämne:** travel

Hi Thomas and Anne,  
Sorry that we were wimps and didn't feel like making the crossing this week. We were thinking of you and hoping you had a great time in SXM. Hope the cruise ship people weren't a problem. Have a great trip home. We very much enjoyed seeing you in PR.  
Until the next time....  
Much love,  
[REDACTED]

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Arthur Jackson

**From:** [REDACTED]  
**Sent:** Tuesday, May 18, 2010 1:32 PM  
**To:** Thomas Sköld  
**Subject:** RE: Restoraderm Lipogrid Technology

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Dear Thomas,

This is not progressing to the speed which I was anticipating. I am working on this internally but unable to commit at a timeline at this point in time. I understand that the opportunity may not be available to us latter on. I want to make sure I can come to an agreement on a development path internally.

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Tuesday, May 18, 2010 12:26 PM  
**Subject:** Restoraderm Lipogrid Technology

Dear [REDACTED]

Sorry to burden you but if possible I would like to understand if things are moving along or stopped at a dead end for now?

With kind regards,  
Thomas

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Arthur Jackson

**From:** Thomas Sköld [thomas-skold@telia.com]  
**Sent:** Tuesday, February 23, 2010 4:29 AM  
**To:** [REDACTED]  
**Subject:** [REDACTED] Development Introduction  
**Attachments:** Restoraderm LiPoint patentincl testost .ppt; Restoraderm mode of action.doc

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Good morning [REDACTED],

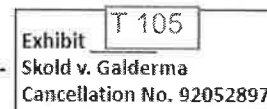
I apologise for not getting back to you sooner. 9 AM your time and 6 PM my time on Friday is perfect.

Please call me on my cell phone (+46) 706600040.

Enclosed please find a power point presentation over the technology that we don't need a CDA for I think. Most of it is already published a few years ago. I do want you to be aware of that this is not strictly a foam technology. It is a system you can use in any form of delivery (lotion, cream, ointment and foams). During the last 2 years I have conducted research with intra nasal delivery based on these structures with great success.

I look forward talking to you o Friday.

All the best,  
Thomas



**Från:** [REDACTED]  
**Skickat:** den 19 februari 2010 19:35  
**Till:** Thomas Sköld  
**Ämne:** RE: [REDACTED] Development Introduction

Hi Thomas,

Let's plan on speaking next Friday (2/26) at 9:00am. Please let me know what number I should reach you at?

Regards,  
[REDACTED]

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, February 19, 2010 7:32 AM  
**To:** [REDACTED]  
**Subject:** SV: [REDACTED] Development Introduction



Dear [REDACTED],

It would be my pleasure to talk to you in regards to the "Restoraderm" technology.

I am however travelling Wednesday through Friday next week. I will be getting into New York late Wednesday evening and will be in meetings most of Thursday. I will be free from 6.30 PM east coast time if that would work for you. I will then be on a flight to go back home to Sweden that evening and will arrive in Stockholm at 9 AM east coast time (3 PM Swedish or European time) on Friday. So Thursday afternoon or Friday morning your time works for me. For a Friday call our time difference I believe is 9 hours so anything between 9-11 AM your time is fine.

Have a great weekend.

All the best,  
Thomas

**Från:** Carla Brenner [mailto:cbrenner@medicis.com]  
**Skickat:** den 18 februari 2010 23:13  
**Till:** thomas-skold@telia.com  
**Kopia:** Danine Summers  
**Ämne:** Medicis Corporate Development Introduction

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Dear Thomas,

I received your information from [REDACTED] and I would like to follow up with you in regards to your medical dermatology products. Do you happen to have any time next week to speak? I am fairly flexible Wednesday-Friday.

Warm Regards,

[REDACTED]  
Corporate Development Specialist

[REDACTED]

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Arthur Jackson

From: Dan [REDACTED]  
 Sent: Wednesday, September 08, 2010 3:00 AM  
 To: thomas-skold@telia.com  
 Cc: [REDACTED]  
 Subject: [REDACTED]  
 Attachments: [REDACTED]

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Hello Thomas:

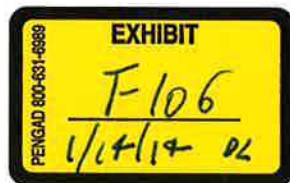
Good to see you again yesterday. As discussed, I have attached the patent application that we talked about for use of [REDACTED] in skin disorders.

Can you provide me with the Restoraderm patent number, or a copy of the patent application so that I can get up to speed on this patent and the IP surrounding it? Thanks.

[REDACTED]

<<<<<<>>>>>>

[REDACTED]  
 [REDACTED]  
 [REDACTED]



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Arthur Jackson

From: [REDACTED]  
Sent: Tuesday, October 26, 2010 2:06 PM  
To: thomas-skold@telia.com  
Subject: Questions Restoraderm  
Attachments: Questions Restoraderm.pdf

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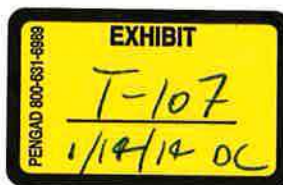
Hej Thomas,

Hoppas att allt är bra med dig!

Nu ska vi snart initiera en förstudie på Restoraderm teknologin och jag har börjat att titta på teknologin från ett marknadsperspektiv. Jag har en hel del frågor som dyker upp när jag sitter och försöker att konceptualisera möjligheterna. Jag hörde att du ska träffa Mats på fredag och om det passar dig kan vi gärna diskutera detta när du ändå är här.

Med vänlig hälsning

[REDACTED]



~~Trade Secret/Commercially Sensitive~~

Hello Thomas,

Hope all is well with you!

Now we will soon launch a feasibility study on the Restoraderm technology and I have started to look at technology from a market perspective. I have a lot of questions that pop up when I sit and try to conceptualize the possibilities. I heard you're meeting Mats on Friday and if it suits you, we can be happy to discuss this when you're here.

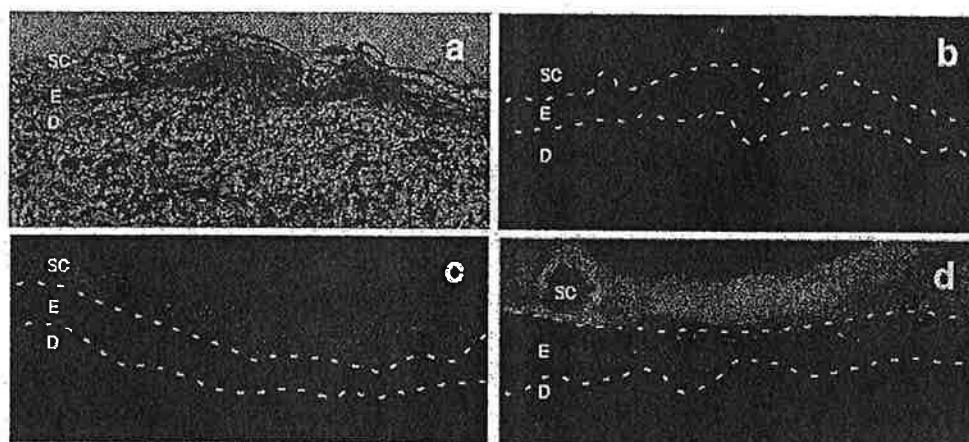
Yours sincerely



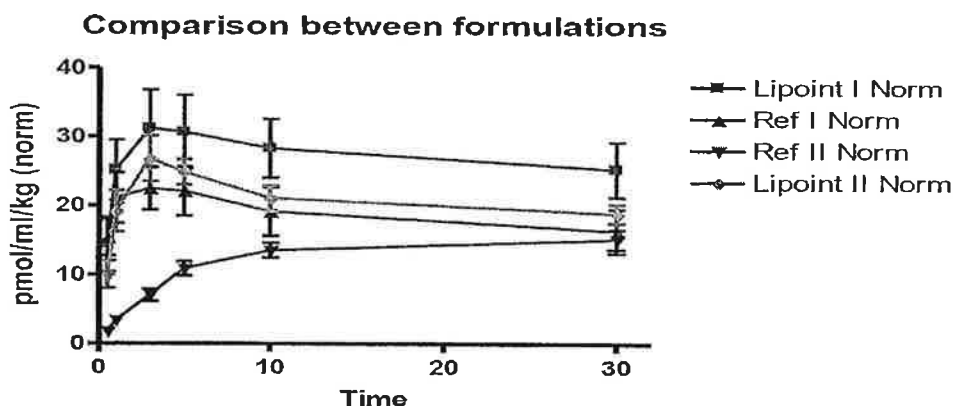
Trade Secret/Commercially Sensitive



1. From the Patent: "Enhance the therapeutic activity" Is this enhanced therapeutic activity linked to the composition of Restoraderm or the production method? How can you show higher therapeutic activity? Is this why a blanching study is required?
2. From Patent: "Lipids when applied individually tend to disrupt the epidermal barrier". This is very interesting! Do you have any references to provide?
3. From Presentation: "The system is suitable for both water soluble and fat soluble drugs"? What do you mean by suitable? Suitable as higher therapeutic activity or stable or do not disrupt the epidermal barrier?
4. "Enables penetration through stratum corneum and epidermis without disturbing/disrupting the skin barrier function". What documentation do you use for supporting this claim?
5. In picture D below, is it active ingredient or the vesicles? If it is vesicles, how can you prove that the vesicles are able to bring the active ingredient into the epidermis?



6. In this transmucosal study, how can you translate it to a transdermal drug delivery profile?



7. Do you have any suggested launch plan of products based on Restoraderm?
8. Do you have any rough sales estimates for these suggested products to provide?

Public

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Arthur Jackson

From: [REDACTED]  
Sent: Friday, November 19, 2010 5:10 PM  
To: Thomas Sköld  
Subject: Re: SV: VB: Aruba/Technology

Exhibit T 108  
Skold v. Galderma  
Cancellation No. 92052897

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Thomas,

Thanks for the additional information.

Perhaps we can speak next week. Does Tuesday or Wednesday work for you?

[REDACTED]

From: Thomas Sköld <thomas-skold@telia.com>  
To: [REDACTED]  
Sent: Wed, November 17, 2010 9:54:15 AM  
Subject: SV: VB: Aruba/Technology



Dear [REDACTED]

Thanks for getting back to me so quickly.

It is always difficult to be fully objective when talking about your own baby but I strongly believe it is as much "state of the art" as any delivery system can be at this point in time. Actually, to the point that I have been approached by a few derm opinion leaders in the US to set up a separate company around the technology. But, as you know, it takes more than just well established professors to turn it in to a success business if that would be the rout I will take. Some of these people are very good friends of mine so I would like to include them in some shape or form.

Enclosed please find the basic idea behind the technology to get a sense of the scientific philosophy.

I have much more to share of course but I would suggest that we set up a conference call so I can describe more about my self and the technology but also so that I understand your ideas and business thoughts.

Please let me know when a good day and time would be for a conference call and keep in mind the time difference of 6-9 hours.

All the best,  
Thomas

Från: [REDACTED]  
den 17 november 2010 16:26  
Till: Thomas Sköld  
Kopia: [REDACTED]  
Ämne: Re: VB: Aruba/Technology

Thomas,  
Thank you very much for contacting me.

Congratulations on getting your technology back from Galderma. I hope your next partnering initiative is a better and more productive one. Of course we would be interested in hearing more about your delivery system, and how you believe it could be applied to new and innovative dermatology products. We are working on a number of projects here, and we

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continue to feel strongly that patient benefit and company value can be created with better delivery systems.

How would you suggest we proceed?

Thanks again for contacting us. I look forward to hearing from you.

---

**From:** Thomas Sköld <thomas-skold@telia.com>  
**To:** [REDACTED]  
**Sent:** Mon, November 15, 2010 11:31:15 AM  
**Subject:** VB: Aruba/Technology

Dear [REDACTED]

My name is Thomas Sköld and I got your e-mail address from [REDACTED] suggesting that I should contact you (as you can see in her below message).

I'm contacting you in regards to a topical delivery technology I have over the years developed. In 2002 I sold the embryo to Collagenex and have since 2006 been fighting to get back. Not until the very end of 2009 I managed to get the asset in return. Not quite correct since they (Galderma) never returned the trademark Restoraderm and in 2010 launched products under that name. I have spent most of 2010 working on IP related issues and we now feel comfortable enough to search for a partner or partners. It could possibly be that you already are aware of what this technology is all about. Generally speaking, it is a lipid matrix system using both solid lipid particles in combination with vesicles comprising phospholipids, ceramides, cholesterol and fatty acids in a certain ratio. It is more a system rather than a formulation since you can turn it into a lotion, cream ointment or foam together with that you have tools to adjust penetration depths. When [REDACTED] really took off that was when I through Ponsus just had introduced Proderm (that Quinnova now are working with) which is a technology I developed a few years before the millennium. I believe you know Jeff Day who happens to be one of my best friends in the States.

I'm not sure whether there could be an interest from your side but if it does please feel free to contact me for further discussions.

With kind regards,

Thomas Sköld  
Björnö Gård  
761 41 Norrtälje Sweden

Phone +46 706600040

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**Från:** [REDACTED]  
**Skickat:** den 15 november 2010 17:26  
**Till:** Thomas Sköld  
**Ämne:** RE: Aruba

Hello Thomas,

It is nice to hear from you. Yes, I am sure you would consider our weather much nicer, however when it is 50F here we get quite cold; I wore my coat to work today.

I am not certain anyone from [REDACTED] is planning on attending the meeting in Aruba. It is becoming very challenging to support let alone attend meetings in such locations.

There is another person you may wish to contact for potential business opportunities. His name is [REDACTED] and he was the CEO of the company I worked for previously, [REDACTED]. I understand he is interested in starting another derm company and is looking around for potential licensing and or acquisition opportunities. His email address is: [REDACTED]. Feel free to let him know I referred you.

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Please give my regards to Anne.

Warmest regards,

[REDACTED]

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Monday, November 15, 2010 6:08 AM  
**To:** [REDACTED]  
**Subject:** Aruba

Dear [REDACTED]

I hope this e-mail finds you well. I know for sure that you at least have much better weather than we have in Sweden right now!

[REDACTED] followed up my e-mail. Nothing came out of that unfortunately but said that I believe topical vehicles was not her specialty arena.

Anyway Anne and I will of course attend the upcoming meeting in the Caribbean and we hope you will do the same. Will anyone from business development possibly join you to Aruba?

It would be nice to get an opportunity to present the technology to the right people within your organization.

All the best,  
Thomas

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Public

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Arthur Jackson

**From:** Thomas Sköld [thomas-skold@telia.com]  
**Sent:** Tuesday, November 30, 2010 8:03 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** SV: SV: Signature page for CDA  
**Attachments:** Restoraderm Formulation Development Report 05.pdf

Exhibit T 109  
Sköld v. Galderma  
Cancellation No. 92052897

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It is but at the same time not! These are only pilot stability tests (with the exception of few). However it really indicates what one can do if doing it right.

I am in control of all the old data but I have received very limited info regarding work from 2006 and 2007 unfortunately. Most of them are 6 months data (including accelerated data).

Enclosed please find the development report for the [REDACTED] project. There was one pre IND meeting with FDA that never was followed up properly (I do have this info). In 2005/2006 Collagenex board decided to put the company up for sale which is when a lot of the data disappeared.

No clinical testing on Rx products have ever been conducted! Looking at penetration with Ruby (fluorescence slide in the power point), Fowler study on the skin barrier repair product (vehicle alone), TEWL study and Hydration study. Two studies on Lidocain but that is really it I'm afraid. Except all the studies I have conducted on transmucosal delivery, that is. The [REDACTED] was looked at but no report was ever written. A lot of good individual cases though.

All the best,  
Thomas

**Från:** [REDACTED]  
**Skickat:** den 29 november 2010 21:12  
**Till:** Thomas Sköld  
**Kopia:** [REDACTED]  
**Ämne:** Re: SV: Signature page for CDA



Thomas,

Thanks for the information on the products. It looks like quite a pipeline!

It sounds like all the products you listed are on stability, but none have advanced into clinical testing, is that correct? If we wanted our CMC consultant to review the stability work, do you have reports they could look at? Also, do you have any in-vivo data that provides information on delivery, penetration, or other characteristics of the vehicle or active ingredient?

I look forward to receiving the samples, and thank you again for the prompt follow up.

**From:** Thomas Sköld <thomas-skold@telia.com>  
**To:** [REDACTED]

**Sent:** Mon, November 29, 2010 4:13:44 AM  
**Subject:** SV: Signature page for CDA

Thank you [REDACTED]

Samples should arrive some time later on this week. There are samples old as 7 years but also newer ones. The foam ones from 2003 have a lower pressure due to "over time leakage" so somewhat wetter than the fresh ones.

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Lotion, cream, gel and foam. I wanted to give you evidence of a stable system.

There are pilot stability testing on;

[REDACTED]

[REDACTED]

[REDACTED]

A few of these needs to be re looked at. [REDACTED] had an initial decay and probably due to wrong pH environment.

All the best,  
Thomas

---

Från: [REDACTED]  
Skickat: den 27 november 2010 22:27  
Till: Thomas Sköld  
Kopia: [REDACTED]  
Ämne: Signature page for CDA

Thomas,

Thank you for reviewing our CDA, and returning the signed signature page.

I have co-signed and it is attached.

I look forward to receiving the samples of your delivery system, and to speaking with you soon.

[REDACTED]

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Arthur Jackson

From: Thomas Sköld [thomas-skold@telia.com]  
Sent: Monday, November 29, 2010 8:37 AM  
To: [REDACTED]  
Subject: CDA signed and delivered  
Attachments: CCE20101129\_00000.jpg; CCE20101129\_00001.jpg; CCE20101129\_00002.jpg;  
CCE20101129\_00003.jpg; CCE20101129\_00004.jpg; CCE20101129\_00005.jpg

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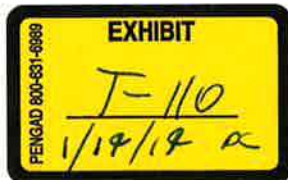
Dear [REDACTED]

Attached please find the CDA signed also by me.

I look forward talking to you tomorrow.

All the best,  
Thomas

Exhibit T 110  
Skold v. Galderma  
Cancellation No. 92052897



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Arthur Jackson

**From:** [REDACTED]  
**Sent:** Friday, November 04, 2011 10:31  
**To:** [REDACTED] 'Thomas Sköld'  
**Subject:** RE: Some data on the topical system

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Dear [REDACTED]

I can assure you that Thomas made a very good impression with [REDACTED] and explained the technology in detail. It was agreed that [REDACTED] will have an internal evaluation and revert to us no later than December 1, 2011 if they want to proceed.

Best regards  
[REDACTED]

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Skold v. Galderma  
Cancellation No. 92052897

**From:** [REDACTED]  
**Sent:** Freitag, 4. November 2011 15:21  
**To:** [REDACTED]; 'Thomas Sköld'  
**Subject:** AW: Some data on the topical system

Thank you [REDACTED] and Thomas,

I hope you had a good meeting – I am curious!

Unfortunately I saw your e-mail too late. Please recall that we have – based on the Restoraderm presentation – designed and optimized the Lipogrid presentation (see attachment). I am not sure whether it was sent by [REDACTED] to [REDACTED] before.

However, as Thomas was there, the explanations should not have been a problem. ☺

Best regards,  
[REDACTED]

**Von:** [REDACTED]  
**Gesendet:** Mittwoch, 2. November 2011 16:41  
**An:** [REDACTED]  
**Betreff:** FW: Some data on the topical system

Dear [REDACTED]

I am not sure if you already have the presentation that Thomas sent to me – just to be on the safe side I send to you

Best regards  
[REDACTED]

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Mittwoch, 2. November 2011 15:26  
**To:** [REDACTED]  
**Subject:** Some data on the topical system

Dear [REDACTED]

Wanted to send you something about this technology before we see each other.

I will have one copy of these and some more documents with me tomorrow.

I look forward seeing you around 11.30.

All the best,  
Thomas



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Arthur Jackson

From: [REDACTED]  
Sent: Tuesday, May 17, 2011 8:31 AM  
To: Thomas Sköld  
Subject: Re: SV: SV: VB: Technology

Exhibit T 112  
Skold v. Galderma  
Cancellation No. 92052897

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Hi Thomas,

Congratulations on the great news! We will be discussing your technology in greater detail today and more formally later in the month. I have circulated your VB technology internally, including our VP of Corporate Development, [REDACTED] (who you may have met previously). He may be in contact with you shortly via e-mail with additional questions and request for additional information.

I appreciate you thinking of [REDACTED] for this opportunity early on in the process. As you know [REDACTED] has a history of moving slowly and our new product strategy is focused primarily on licensing: late phase III products, commercialized products or medical devices. While we are reevaluating this opportunity, I want to encourage you to pursue other possible partners and not have [REDACTED] hold your efforts back in any way. I'll make sure to stay on top of the evaluation process and get back to you by the end of the month regarding our level of interest in your technology.

Congrats again on the patent!

From: Thomas Sköld <thomas-skold@telia.com>

Date: Fri, 13 May 2011 19:16:08 +0200

To: [REDACTED] om

Subject: SV: SV: VB: Technology

Hi [REDACTED]

Just wanted to let you know that we today got a verbal confirmation about the US patent getting an allowance. Officially I guess it will be in the system on Tuesday.

Have a great weekend,  
Thomas

Från: [REDACTED]  
Skickat: den 4 maj 2011 20:04  
Till: Thomas Sköld  
Ämne: Re: SV: VB: Technology

Hi Thomas,

Nice to hear from you and I hope all is well. I wish I could've made it to Carib Derm, as it is always a great time. Thank you for thinking of [REDACTED] as a potential partyner. It's been some time since we reviewed your technology and I seem not able to find the VB technology file. Would it be possible for you to resend?

As for [REDACTED] we did have a development deal in place for a period of time but have since parted ways on that project and do not have any ongoing initiatives.

Thanks for resending. Regards



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**From:** Thomas Sköld <thomas-skold@telia.com>

**Date:** Tue, 3 May 2011 13:01:13 +0200

**To:** [REDACTED]

**Subject:** SV: VB: Technology

Hi [REDACTED]

I hope this e-mail finds you very well over there.

Sorry you didn't attend the Carib Derm this year. We had lots of fun and there were many more attendees this year than ever. I wanted to touch base on what we earlier talked about. I have focused on intellectual property the past year and as it now looks we believe a US patent allowance is very close and hopefully before the summer. I recently got an allowance in Canada and the last communication from the US patent office were very promising. Therefore and before I start approaching various Companies I wanted to send you a quick note on the subject.

I heard you signed a deal with [REDACTED] but in any case please let me know whether or not you believe we should discuss the matter.

All the best,  
Thomas

---

**Från:** [REDACTED]

**Skickat:** den 23 februari 2010 00:01

**Till:** Thomas Sköld

**Ämne:** RE: VB: Technology

Hi Thomas,

We will be reviewing over the next couple of weeks. With AAD meeting coming up March 4 -8, it will provide team [REDACTED] to get together and discuss. I'll keep you posted on our progress.

Thanks for sharing

[REDACTED]

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**From:** Thomas Sköld [mailto:thomas-skold@telia.com]

**Sent:** Thursday, February 18, 2010 7:08 AM

**To:** [REDACTED]

**Subject:** SV: VB: Technology

Hello again [REDACTED]

The two enclosed power point documents are official documents which you can review without a CDA in place and they would give you a pretty good idea what it is. Remember it is a system so you develop lotions, creams ointments and foams with it.

I look forward hearing back from you once you have had a chance to review them.

Say hi to mike from me as well.

All the best,  
Thomas

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Från: [REDACTED]  
Skickat: den 16 februari 2010 16:02  
Till: Thomas Sköld  
Ämne: Re: VB: Technology

Hi Thomas,

Nice to hear from you. I'm not familiar with the VB technology so I need to do some studying & research prior to stating our interest. By chance do you have an overview document that you could share? If so would you like us to have a confidentiality agreement in place first?

All the best

[REDACTED]  
On Feb 11, 2010, at 7:06 AM, Thomas Sköld <[thomas-skold@telia.com](mailto:thomas-skold@telia.com)> wrote:

Dear [REDACTED]

It would good seeing you again after these years and I was also glad learning about that Mike is back at [REDACTED]

Anne and I went over to St Martin for some holiday after the meeting and now we are back in Sweden where it is winter and more winter than we have had in many years. Coming back to the Restoraderm technology, I'm putting most my effort now in to the patent work. I have one patent issued but need to speed the process up on the others so I'm conducting several of experiments to make it easier for the examiners. However I also need to start looking for a partner or partners since I'm flexible of how to do things. Especially since this is a system one can use orally, intra nasally, topically in lotions, creams, ointments and foams.

If you have any ideas and or interest please feel free to get back to me.

Promise to say hi to [REDACTED] from both me and Anne!

All the best,  
Thomas

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Arthur Jackson

From: [REDACTED]  
Sent: Tuesday, July 26, 2011 7:06 AM  
To: 'thomas-skold@telia.com'; [REDACTED]  
Cc: [REDACTED]  
Subject: Re: SV: Follow up on meeting between Thomas Skold and [REDACTED] re Restoraderm.

Many thanks for your comprehensive comments Thomas. J [REDACTED] and I are here at the [REDACTED] Institute studying the absorption characteristics of certain macerated cereals (mostly barley) after exposure to *saccharomyces carlsbergensis* in aqueous environments. It is a very enlightening experience and one that bears repeating in the home laboratory!  
I should just mention that there could well be interest from F [REDACTED] and possibly from Mical in some of the other drug products you listed.

Let's have an extended discussion on these other possibilities in conference calls with the relevant individuals from TI and Ferndale respectively.

All the best, [REDACTED]

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Tuesday, July 26, 2011 04:14 AM  
To: [REDACTED]  
Subject: SV: Follow up on meeting between Thomas Skold and [REDACTED] re Restoraderm.

Dear All,

Thank you [REDACTED] taking your time with me here in Sweden. Always good to see you!

A quick note from the Swedish archipelago; the steroids that immediately comes to mind are; [REDACTED] 24 month stab), [REDACTED] 6 months accelerated), hydrocortisone (6 months accelerated) and [REDACTED] but I can't remember the length of that study.

Other stable formulations I have are; [REDACTED] had an initial drop/decay which we believe were due to the Ph environment and should be ok setting it at its pka value. Those were then kept stable for 6 months (accelerated). Then there are a number of OTC ingredients but those I understand will not at this time be of any interest.

I will be back on Monday August 8<sup>th</sup>. I'm travelling on Aug 11<sup>th</sup> but will be available for a conference call all other days.

All the best,  
Thomas

Ps. perhaps we should set up a CDA between us for our future discussions.

Från: [REDACTED]  
Skickat: den 26 juli 2011 07:14  
Till: Thomas Sköld; danp@therapeuticsinc.com  
Kopia: [REDACTED]  
Ämne: Follow up on meeting between Thomas Skold and [REDACTED] re Restoraderm.

Hello Gentlemen and please forgive the delayed response from me. The [REDACTED] servers went down after a power failure and I've only just been able to receive/send emails again.

Thank you Thomas for your note and thank you again for your hospitality. I hope you will have received my previous note sent from my private email address via Blackberry.

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**Figure 1**

# THE

**To:**

Dear [REDACTED]

We met for a couple of hours yesterday discussing the technology and what it could and should do for you. I have several of stability studies when it comes to steroids and it seems like they are highly stable in the "Restoraderm Technology". A part of the technology is in the form of vesicles which you might know reduces the "blanching effect" but not really the clinical manifestation. The synergy effect from both structures makes up for [REDACTED] [REDACTED] [REDACTED]. This is something we should discuss with regard to the planned vaso study.

My initial ambition is to find one partner that would be responsible for all developments which should be several. One active won't achieve this but I believe your idea could potentially be a big product which would partly make up for this. As I mentioned to [REDACTED] already have a few companies that have expressed an interest. Some of them you know of fairly well and perhaps there is a way that you guys can participate also in those. I'm not sure how one best achieve that but where there is a will there is a [REDACTED] [REDACTED] I think that the best way forward is for us to have a conference call with you Thomas once you and I both return from vacation. Clearly, your desire to have a "major" partner for the Restoraderm technology per se is very understandable. As explained, at this juncture our interest lies in a single application but broader interest could follow. In any event and in the meantime, we may be able to accomplish rapid progress with halobetasol.

Based on our discussion yesterday I will also start thinking of terms that would be fair to us both. Since there might be in the end a today "unknown" company owning the right the product(s) terms need to be carefully outlined reflecting this fact. [REDACTED] That's much appreciated Thomas. I know you have a good understanding of the [REDACTED] approach and will bear this in mind when considering the proposal in total.

All the best,  
Thomas

---

**From:** [REDACTED]  
**Sent:** den 12 juli 2011 14:57  
**To:** Thomas Sköld  
**Cc:** [REDACTED]  
**Subject:** RE: Potential meeting in Europe

Thanks for the prompt reply Thomas ---- Can you provide your office location and the best locale where you will be able to meet?

Best, [REDACTED]

[REDACTED]

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---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Tuesday, July 12, 2011 5:55 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Potential meeting in Europe

Dear [REDACTED]

Thanks for reaching out to me.

It's also good time to do so. The Canadian and US patent applications have recently gotten allowances. We are now out in the Swedish archipelago for a few weeks of vacation. I would love to meet up with [REDACTED] I believe it is some 3 – 4 years since we last saw each other in the Caribbean.

[REDACTED] when will you be around?

Wishing you both a pleasant summer,  
Thomas

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Ps. Use my cell phone rather than my home number [REDACTED]

---

**From:** [REDACTED]  
**Sent:** den 12 juli 2011 14:41  
**To:** thomas-skold@telia.com  
**Cc:** [REDACTED]  
**Subject:** Potential meeting in Europe  
**Importance:** High

Thomas,

I received your contact from Mats Silvander (see below) who we worked with via our mutual affiliation with Quinnova for several years. [REDACTED] will be in Europe on another matter and if possible would like to meet with you. Ferndale and Therapeutics are jointly developing prescription products in dermatology and we would like to speak with you about potentially licensing some of your formulation IP. I have copied [REDACTED] on this email so he will have both your email and phone number (+46 176224400). It would be appreciated if you could meet with [REDACTED] when he is in your area if schedules allow.

I appreciate you trying to meet with Mike and look forward to our conversations about your formulation patent(s).

Many Thanks, [REDACTED]

[REDACTED]

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**From:** Mats Silvander [mailto:msilvander@yahoo.se]  
**Sent:** Tuesday, July 12, 2011 5:13 AM  
**To:** [REDACTED]  
**Subject:** SV: how are you doing?

Hi [REDACTED]

Good to hear from you! Everything is well. We are expecting our # 2 in mid september som Camilla is growing big but that is as should be.

email for Thomas is: [thomas-skold@telia.com](mailto:thomas-skold@telia.com). Telephone is: [REDACTED]

I hope you and Bob are all well too. I am leaving for holiday for a week but let us catch up when I am back.

Best regards,

Mats

--- Den fre 2011-07-08 skrev Dan Piacquadio <danp@therapeuticsinc.com>:

Från: [REDACTED]  
Ämne: how are you doing?  
Till: msilvander@yahoo.se  
Kopia: "I [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]"  
Datum: fredag 8 juli 2011 20:03

Mats,

Hope you are doing well -- how is the family?

I was wondering do you have contact info for Thomas Skold? It would be greatly appreciated!

Finally Bob and I would love to schedule a call just to catch up, nothing urgent but suggest few times in the next month or so.

Thanks, [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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TRADE SECRET/COMMERCIALLY SENSITIVE

Arthur Jackson

**From:** Thomas Sköld [thomas-skold@telia.com]  
**Sent:** Thursday, June 30, 2011 5:41 AM  
**To:** 'thomas-skold@telia.com'  
**Subject:** VB: SV: [REDACTED]  
**Attachments:** 2011 06-07 Skold CDA.docx

Exhibit T 114  
Skold v. Galderma  
Cancellation No. 92052897

248

**Från:** [REDACTED]  
**Skickat:** den 9 juni 2011 21:27  
**Till:** Thomas Sköld  
**Ämne:** RE: SV: New topical technology

Thomas,

Thank you for the further update. Attached for your review is a draft CDA. Please get back to me with any comments that you may have.

Best Regards,

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Wednesday, June 08, 2011 4:48 AM  
**To:** [REDACTED]  
**Subject:** SV: SV: New topical technology

Thanks [REDACTED]

The one thing I should have mentioned yesterday is that today it is established that physiological lipids in an emulsion blends in with the stratum corneum lipids very well. Would you then like to have a delivery system you don't want to leave the active that high up in the skin. By using a suspension based on certain structures one overcomes that issue of sufficient delivery. I believe that is the biggest difference between the product EpiCeram and this delivery technology outside the high content of cholesterol and the need of a surfactant like SLS.

I will be travelling the next few days but will be back on Monday morning.

I look forward speaking to you in a near future.

All the best,  
Thomas



**Från:** [REDACTED]  
**Skickat:** den 7 juni 2011 22:47  
**Till:** 'thomas-skold@telia.com'  
**Ämne:** Re: SV: New topical technology

Thank you for the background. I am on my way out of town now but will ask to have CDA prepared and forwarded to you for your review. Look forward to speaking with you.

**From:** Thomas Sköld <thomas-skold@telia.com>  
**To:** [REDACTED]  
**Cc:** Björklund, Håkan

Trade Secret/Commercially Sensitive

**Sent:** Tue Jun 07 16:10:55 2011  
**Subject:** SV: New topical technology

Dear [REDACTED]

You are more than welcome. I used to do a bit of work for Altana /Fougera once upon a time which partly led me to reaching out to [REDACTED] when I read [REDACTED] S [REDACTED] [REDACTED] [REDACTED] [REDACTED].

Peter Elias work was done as you know in close relation with Ruby Ghadially which is someone I have worked with in the past. The original work Peter has continued was based on Prof Bo Forslind from the Karolinska Institute. He came up with the mosaic domain philosophy around 1973 I think it was. Later on Peter named it the brick and mortar philosophy. I had the fortune to work with Bo for a number of years before he passed away which was when I introduced foams to the derm market. The work he and I did together I pursued in close relationship with the Royal Institute of Technology in Stockholm (The institute of Surface Chemistry). I came in to this world as an investor but ended up liking it so much that I left that arena to set up our own company around dermatological vehicles. With Pharmacia becoming UpJohn and Astra Astra Zeneca I was blest with many skilled artisans.

Peter's work doesn't "really" reflect on his patent that much. His research and studies was based on physiological lipids and mostly ceramides effect on the skin. To gain IP around the subject which is difficult he had to adjust somewhat the formulation he studied. The patent is high on cholesterol as you might know. One of the problems we are facing is the cost of ceramides which makes the stratum corneum lipid ratio impossible to achieve (you could never afford more than 0.5% lipids). Therefore there is a high content of SLS in Peter's patent to permit the formulations to become an emulsion. My IP relates to the these lipids in the correct ratio (as any human membrane) without emulsifiers and surfactants since I'm creating them in vesicles together with lipid solid particles. The one structure helps the other one to diffuse them selves through any human membrane we do have.

Please send over a CDA so we can start sharing information.

All the best,  
Thomas

---

**Från:** [REDACTED]  
**Skickat:** den 7 juni 2011 21:11  
**Till:** Thomas Sköld  
**Kopia:** Björklund, Håkan  
**Ämne:** RE: New topical technology

Dear Dr. Skold,

Thank you for reaching out to us.

I will have my colleague Ryan Walsh begin to review your patent.

I would like to learn more about the data that you have. How does your work compare to the work done in this area by Dr. Peter Elias? I am very familiar with his efforts that resulted in EpiCeram being developed for the US market.

We would be happy to sign a nondisclosure agreement with you to gain access to your confidential data. If this meets with your approval I will have our Legal Department prepare a draft agreement.

Regards,

[REDACTED]

[REDACTED]

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**WEL**

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]

**Sent:** Tuesday, June 07, 2011 12:25 PM

**To:** [REDACTED]

**Subject:** New topical technology

Dear [REDACTED],

I have been advised by [REDACTED] to contact you in regards to a topical project I have been working on for some years.

Certainly highly interesting for a Company that have ambitions in what I usually refer to as "ethical" dermatology". Build upon physiological lipids (ceramides, cholesterol, fatty acid and phospholipids) in 2 or more structures and acts as a system for any delivery form. I finally received an allowance on the US patent application last Friday (May 27<sup>th</sup> 2011) after several of years working on it. For you to review, the application number is 12/290455 and over the years I have been incorporating over 10 different active with mostly very intriguing results.

With the recent patent allowance I will shortly start working on finding a good partner (acquisition/licensing) to continue the development. I'm a Swedish citizen and lives in Sweden but have most of my derm contacts in the US where most of the work have been conducted. The Canadian patent application got granted earlier this year so it is finally ready for the North American market.

With times being as they are most Companies, I imagine, looks for late stage products which this is obviously not (except for OTC and 510K products). That will soon change I'm certain and new unique ideas like this will see the light. The IP as you will see covers and mimics the stratum corneum lipids and doesn't have to use emulsifiers as most physiological lipid products does.

I have data on file, some studies conducted in the US by high end dermatologists and much more information if you believe this could be of interest to [REDACTED]

I have been in this field for quite some time and introduced aerosol products to the market years ago. Some of that work now belongs to a Company called Quinnova in Newtown Pennsylvania when I am now only focusing on all the stratum corneum lipids and structures you can build with them.

Sincerely yours,

Thomas Sköld

Björnö Gård  
761 41 Norrtälje  
Sweden

Cell phone +46 70 660 00 40

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Public

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Arthur Jackson

**From:** Thomas Sköld [thomas-skold@telia.com]  
**Sent:** Friday, September 09, 2011 3:56 AM  
**To:** 'Mats Silvander'  
**Subject:** VB: CDA with APL  
**Attachments:** MiCal - Apotek CDA.pdf

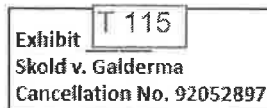
250

Hej Mats,

Så var detta åtminstone ur världen.

Hoppas de nu för övrigt klart så att vi kan komma igång.

Ha en bra helg så länge så hörs vi längre fram,  
Thomas



**Från:** [REDACTED]  
**Skickat:** den 8 september 2011 20:33  
**Till:** Thomas Sköld  
**Kopia:** [REDACTED]  
**Ämne:** RE: CDA with APL

Thomas,

A scan of the countersigned [REDACTED] CDA is appended.

Regards,  
[REDACTED]

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Thursday, September 08, 2011 3:19 AM  
**To:** [REDACTED]  
**Subject:** SV: CDA with APL

Dear [REDACTED]

Enclosed please find a signed CDA by [REDACTED] that I got from Mats today.

All the best,  
Thomas



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From: [REDACTED]  
Sent: Saturday, January 07, 2012 5:33 PM  
To: Thomas Sköld  
Subject: Re: SV: JP Morgan

Exhibit T 116  
Skold v. Galderma  
Cancellation No. 92052897

~~251~~  
251

Great to hear from you - sorry you won't be in SF, but let's certainly get together somehow. Your life of winter liesure sounds rather appealing. I on the other hand continue to work for a living with a specialty pharma company in North Carolina, affiliated with the [REDACTED] group but also publicly traded in the US - an interesting gig with very dynamic immature people, frowned upon by an aged board of [REDACTED]! We are seeking to roll up assets in the [REDACTED], if we can ever persuade the [REDACTED] to put one foot in front of the other. Interesting times. Look forward to catching up,

--- On Thu, 1/5/12, Thomas Sköld <thomas-skold@telia.com> wrote:

> From: Thomas Sköld <thomas-skold@telia.com>  
> Subject: SV: JP Morgan  
> To: [REDACTED]  
> Date: Thursday, January 5, 2012, 4:54 AM Dear Andrew,  
>  
> Good to hear from you and I hope you are doing very well.  
>  
> I won't be in San Francisco due to our annual tradition, we are just leaving for the Caribbean. This year it's on Puerto Rico but Anne and I are staying on a boat in Miami for some days prior to the meeting and after the meeting we go down to St Martin as always.  
>  
> I have been focusing on the "Restoraderm" patent applications and fairly successful. I still have Europe left though but that should get granted this year. All other countries got granted last year. In terms of research it's been mostly about the intra nasal / oral delivery technology but now with patents I hope to find partners to work with during 2012. I have a few discussions but it is too early to say anything yet but I'm hopeful.  
> Galderma kept the Restoraderm trademark so unfortunately we are fighting about that and have done for some time now. They launched simple OTC products with the brand in late 2010 so we'll see what happens.  
>  
> So what about you, how is everything?  
>  
> All the very best,  
> Thomas  
>  
>  
> -----Ursprungligt meddelande-----  
> Från: [REDACTED]  
>  
> Skickat: den 5 januari 2012 00:00  
> Till: Thomas Skold  
> Ämne: [REDACTED]  
>  
> Will you be out in San Francisco? I would enjoy catching up and finding out how you are doing, as well as giving you a sense of things at Cornerstone.



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> Wednesday looks very light, but if that does not suit, name a time and  
> we will plan around it  
>  
> Best to you for 2012  
>  
> [REDACTED]  
>  
>

~~Trade Secret/Commercially Sensitive~~

Arthur Jackson

From: [REDACTED]  
Sent: Monday, January 30, 2012 3:26 PM  
To: Thomas Sköld  
Subject: Re: Restoraderm and LipoGrid Technologies

Exhibit T 117  
Skold v. Galderma  
Cancellation No. 92052897

2532

Hi Thomas,

Just landed in NY! I had a full schedule in Paris and it was difficult to make the trip to Sweden this time. Hope you enjoyed St Martin.

Talk soon!

[REDACTED]

[REDACTED]  
[REDACTED]

On Jan 30, 2012, at 8:58 AM, "Thomas Sköld" <[thomas-skold@telia.com](mailto:thomas-skold@telia.com)> wrote:

Dear [REDACTED]

I hope this e-mail finds you well.

Anne and I just got back from St Martin after some additional wonderful days on La Samanna.

Not sure if you are in France or back in the US? We talked about that you potentially would come to Sweden after your obligations in France so I'm just checking the status.

If you are not please confirm if any of what discussed still are of interest to you.

All the very best,  
Thomas



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Arthur Jackson

From: [REDACTED]  
Sent: Wednesday, April 11, 2012 6:41 AM  
To: Thomas Sköld  
Subject: Re: SV: Restoraderm Technology

Exhibit T 118  
Skold v. Galderma  
Cancellation No. 92052897

~~253~~  
253

Sounds good, do you have a non confidential primer you can send that I can share with our head of r and d and bd colleagues?

On Apr 11, 2012, at 4:41 AM, Thomas Sköld <[thomas-skold@telia.com](mailto:thomas-skold@telia.com)> wrote:

Thanks [REDACTED] for your prompt response!

As soon as I have my New York dates confirmed I will schedule in a trip either to Greensboro or Raleigh to see you.

Hopefully I will get back to you during next week.

All the very best,  
Thomas

Från: [REDACTED]  
Skickat: den 10 april 2012 21:19  
Till: Thomas Sköld  
Ämne: RE: Restoraderm Technology

Thomas  
I could see you in Raleigh or Greensboro..I will not be in New York that month.  
Please advise.  
Thanks  
[REDACTED]

From: Thomas Sköld [<mailto:thomas-skold@telia.com>]  
Sent: Tuesday, April 10, 2012 10:14 AM  
To: [REDACTED]  
Subject: Restoraderm Technology

Dear [REDACTED]

I hope your Easter holiday were pleasant.

I'm planning to get back to New York sometime in mid or late May. In your early view would discussing my technologies with your self and Merz be of interest?  
My ambition is to try and have my May schedule by the end of next week if possible.

All the very best,  
Thomas

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Arthur Jackson

From: Thomas Sköld [thomas-skold@telia.com]  
Sent: Wednesday, October 12, 2011 6:07 AM  
To: [REDACTED]  
Subject: CDA  
Attachments: CCE20111012\_00000.jpg; CCE20111012\_00001.jpg; CCE20111012\_00002.jpg;  
CCE20111012\_00003.jpg

~~255~~  
254

Gentlemen,

Exhibit T 119  
Skold v. Galderma  
Cancellation No. 92052897

Enclosed please find a signed version of your CDA.

Upon returned signature I will start forwarding some of the safety studies and pk studies conducted.

I also confirm that we will see each other in the lobby of my hotel at 6:30 PM on Oct 26th for dinner together.

All the very best,  
Thomas

Ps. All transaction in regards to my technologies are in my personal name and not through a company name (from the beginning for tax puposes).



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- (d) This Agreement does not constitute the parties, as partners, joint ventures or agents of each other, and neither party shall so represent itself. No party may assign this Agreement without the prior written consent of the other party. This Agreement will be governed by and interpreted under the laws of the Commonwealth of Pennsylvania and the parties hereby expressly consent to the exclusive jurisdiction of the appropriate federal or state court in Pennsylvania with respect to any dispute or claim relating to this Agreement.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to sign this Agreement as of the date first stated above.

Thomas Skold

By:   
Thomas Skold



By: \_\_\_\_\_  
  
Chairman & Manager

Confidentiality Agmt 2011

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Arthur Jackson

From: [REDACTED]  
 Sent: Friday, February 01, 2013 11:37 AM  
 To: Thomas Sköld  
 Subject: Possible Development Deal (Restoraderm)

Exhibit	T 120
Skold v. Galderma	
Cancellation No. 92052897	

~~255~~  
255

Thomas,  
 I am following up on the meeting I had last week with the prospective company; utilizing Restoraderm to develop a line of [REDACTED] products. I have sent them the Fowler study and a few items on the technology. They did ask for the Patent #, but I dont have it. Can you send me the Patent number so they can review?

Keep you posted.

■■■■

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Arthur Jackson

**From:** Greg Ford [gford@collagenex.com]  
**Sent:** Wednesday, May 10, 2006 5:12 PM  
**To:** Thomas Sköld  
**Subject:** RE: call with Colin

Exhibit T 121  
Skold v. Galderma  
Cancellation No. 92052897

~~257~~  
256

Thomas,  
Just want to clarify that Colin will not be prepared to discuss specifics of the agreement, rather discuss the overall relationship and our commitment to Restoraderm.  
Take care,  
Greg

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Tuesday, May 09, 2006 6:22 AM  
**To:** Greg Ford  
**Subject:** SV: call with Colin

Hi Greg,

Yes absolutely! I also had my conference call with my attorneys' yesterday evening so I feel well prepared.

I'm told it is about good faith and; 1.5 commercially reasonable efforts, 2.3 (c) and business reasons, the entire article 3 (including of course 3.4 (a) and (b)), Article 4.1 and 4.2, 8.5, 9.1 and finally 9.3.

If needed these guys (Jim and Ian) can also be available for a face to face meeting but I sincerely hope we will work this out without having to involve them to much.

All the best,  
Thomas

---

**Från:** Greg Ford [mailto:gford@collagenex.com]  
**Skickat:** den 8 maj 2006 17:50  
**Till:** Thomas Sköld  
**Ämne:** RE: call with Colin

Absolutely. So you can make it?

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Monday, May 08, 2006 10:30 AM  
**To:** Greg Ford  
**Subject:** SV: call with Colin

Hi Greg!

And thanks! This is of great importance so I hope Colin and I can work something out which will be in favour for all parties. Will Colin be up to speed on where we are and what got us here?

Regards,  
Thomas

---

**Från:** Greg Ford [mailto:gford@collagenex.com]  
**Skickat:** den 8 maj 2006 16:08  
**Till:** thomas-skold@telia.com  
**Ämne:** call with Colin  
**Prioritet:** Hög



Thomas,  
Are you available on Thursday morning at 10AM EST for a call with Colin?  
Greg

Greg Ford  
VP, Business Development & Strategic Planning  
CollaGenex Pharmaceuticals, Inc.  
41 University Avenue, Suite 200  
Newtown, PA 18940  
[gford@collagenex.com](mailto:gford@collagenex.com)  
ph: 800-613-7847

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Arthur Jackson

**From:** Greg Ford [gford@collagenex.com]  
**Sent:** Thursday, May 11, 2006 5:20 PM  
**To:** Thomas Sköld  
**Subject:** RE: Colin

Exhibit T 122  
Skold v. Galderma  
Cancellation No. 92052897

~~258~~  
257

Dear Thomas,  
I'm glad to hear the discussion went well. Colin briefed me on the discussion and he too came away positive. I am available for a call on Monday morning at 10AM if that works with you. Please let me know.  
All the best,  
Greg

---

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Thursday, May 11, 2006 11:29 AM  
**To:** Greg Ford  
**Subject:** Colin

Hi Greg,

I had, as I thought, a good discussion with Colin in regards to Restoraderm.  
I believe Colin will talk to you about what we agreed upon in a near future. What I would like is that when you have had a word with Colin that we arrange for a conference call you and I to, once and for all, straighten everything out which I know we will be able to do.

Let me know when we can talk.

All the best,  
Thomas

---

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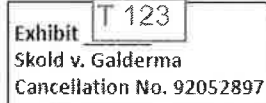


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Arthur Jackson

From: Andrew Powell [apowell@collagenex.com]  
Sent: Wednesday, February 06, 2008 1:04 PM  
To: thomas-skold@telia.com  
Cc: Greg Ford; Ellen Fielitz  
Subject: Our Planned Call



~~258~~  
258

Greg has returned from AAD and briefed me on your exchanges. As we advised you in December, the receipt of a notice of termination threatens to diminish the value of the Restoraderm asset significantly.

The priority for us must therefore be to preserve that at all costs, particularly in light of having received some responses to our initial feelers put out to potentially interested parties.

We are advised that we must therefore respond to your notice appropriately before continuing any discussions with you. Accordingly, our plans to talk tomorrow will not work, but I hope that by the next week, in the time frame mentioned in one of your most recent e mails, we can move past this.

At that time we should discuss, as a threshold matter, whether you wish to work with us in continuing to seek an optimal arrangement for the divestiture of this asset.

Best regards,

Andrew

-----  
-----  
-----  
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(b) [REDACTED]

## 7.10 Joint Inventions

Any Inventions, other than [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

### 7.11 Assignment

To the extent that any party does not [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] party or parties (as the  
case may develop).

## 8. Protection of Intellectual Property Rights

### 8.1 EpiTan

such actions considered necessary or desirable by EpiTan.

## 8.2 CollaGenex

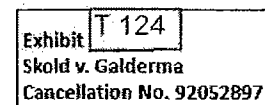
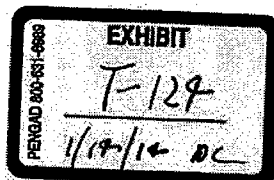
[illegible]

desirable by CollaGenex.

### 8.3 Sköld

Sköld will have the sole right [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**CONFIDENTIAL**



Arthur Jackson

**From:** Thomas Sköld [thomas-skold@telia.com]  
**Sent:** Thursday, April 15, 2010  
**To:** [REDACTED]  
**Subject:** [REDACTED]  
**Attachments:** Restoraderm LiPoint patentincl testost .ppt; Rerstoraderm Fowler Poster.pdf

Exhibit T 127  
 Skold v. Galderma  
 Cancellation No. 92052897

Hej Jacques,

Bifogad presentation ger en viss bild av teknologin om än en mer teknisk bild. Jag har använt den för att "briefa" samtliga mina patentombud i världen, varför den bör kunna ses utan en CDA på plats i detta nu. Postern avser bäraren som enskild produkt för att påvisa effekt och "compliance". Jag bör tillägga att det rör sig om ett system som kan tillverkas till lotion, kräm, salva och foam (aerosol) och har en stor flexibilitet att kunna inkorporera såväl vattenlösliga som fettlösliga "aktiva" substanser.

Mitt förflutna är att jag, under 90-talet, presenterade aerosolburna topikala produkter för OTC och läkemedelsbranschen, vilket var under samma [REDACTED] sin internationella frammarsch och vi sågs på symposium och mässor runt om i världen. Detta företag lever än idag under namnet Ponsus Pharma/Quinnova och gör hyggligt ifrån sig framför allt på den Amerikanska marknaden. Under denna tid fick jag förmånen att arbeta med Prof Bo Forslind som arbetade med mig fram till hans bortgång. Där ligger grunden till denna teknologi och efter att jag, i ung ålder, dragit mig tillbaka har detta varit ett hobbyprojekt för mig om en ett mycket dyrt sådant.

Jag har en mycket god kännedom om den Amerikanska marknaden och dess aktörer där många opinionsledare är mina vänner men i Europa har jag inte arbetat på många år tyvärr.

Finner ni detta intressant och önskar gå vidare finns jag inte långt från Uppsala och arbetar idag en del med Visionar (för det intra nasala systemet) och är därför, till och från, i Uppsala.

Bästa hälsningar,  
 Thomas

**Från:** [REDACTED]  
**Till:** Thomas Sköld  
**Ämne:** RE: Delivery Technology

Hej Thomas,

Om du har något presentationsmaterial du kan skicka, får du gärna göra det så att jag kan bedöma om detta är av intresse för [REDACTED] så är fallet vill jag naturligtvis att vi träffas, men det får vi i så fall ta som steg 2.

Med vänliga hälsningar,  
 [REDACTED]

**From:** [REDACTED]  
**Sent:** den 15 april 2010 12:27  
**To:** Thomas Sköld



Cc: [REDACTED]  
Subject: RE: Delivery Technology

Hej Thomas

Tack för ditt mail.

Jacques Näsström, Director R&D kommer att kontakta dig.

Med [REDACTED]  
Gunilla

[REDACTED]

---

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: den 9 april 2010 12:54  
To: [REDACTED]

Bästa Gunilla Lundmark,

Skriver Er ett par korta rader med anledning av mitt arbete vad gäller "drug delivery", för att förhöra mig om huruvida det kan finnas något intresse för [REDACTED] titta närmare på dessa och möjligtvis i synnerhet det dermatologiska systemet med tanke på vad som skrivits under den senare tiden. De senaste åren har jag och några med mig utvecklat och patentsökt leveranssystem för oralt, intra nasalt och dermatologiskt bruk. Samtliga system bygger på ett antal fysiologiska lipider i 2-3 strukturer i en och samma beredning. Varje struktur diffunderar sig igenom ett membran på olika vis varpå man kan bättre skräddarsy det slutliga resultatet vare sig det rör sig om lokalt eller systemiskt bruk.

Vad gäller det topikala systemet som kan göra sig som lotion, kräm, salva eller som foam har det utvecklats en rad produkter där flertalet är Rx produkter men det finns också ett antal OTC produkter. Tester och studier har främst gjorts i USA även om utvecklingen sköts av mig med hjälp av [REDACTED].

Om intresse finnes vänligen återkom till mig Thomas Sköld.

Bästa hälsningar,

Thomas Sköld

Björnö Gård  
761 41 Norrtälje  
Tel. 070-660 00 40

[REDACTED]

Arthur Jackson

263

From: [REDACTED]  
 Sent: Monday, October 11, 2010 11:06 AM  
 To: Thomas Sköld  
 Subject: RE: email test and vcard

Exhibit T 128  
 Skold v. Galderma  
 Cancellation No. 92052897

Thanks Thomas,  
 This seems like I may have seen this a few years ago, or at least the summary of it.

Kind Regards,

[REDACTED]  
 [REDACTED]

[REDACTED]  
 [REDACTED]

[REDACTED]  
 [REDACTED]

[REDACTED]  
 [REDACTED]

Email: [REDACTED]

Websites: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

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From: Thomas Sköld [mailto:thomas-skold@telia.com]  
 Sent: Monday, October 11, 2010 7:33 AM  
 Subject: SV: email test and vcard

Hello again [REDACTED]

I thought I would send you some info regarding "Restoraderm" technology. You might have seen some of it during your time at [REDACTED] [REDACTED] [REDACTED] [REDACTED]. Also some of it bounced back and forth when I had my discussion with [REDACTED] after my attempt to terminate the Collagenex agreement in 2007/2008.

All the best,  
 Thomas



Trade Secret/Commercially Sensitive

Från: [REDACTED]  
Skickat: den 10 oktober 2010 23:46  
Till: Jeff Thompson  
Ämne: email test and vcard

Hello,

It was nice to see you in Sweden.  
Here is test connector email with my vcard so we can follow up accordingly.  
Please acknowledge receipt of this test email and send your vcard as well if possible.

Warmest Regards,

[REDACTED]



[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

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#264;

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limited disease stabilization, with one patient, suffering from an hemangioendothelioma (an unusual type of lung tumor), remaining on Metastat for over two years without progressive disease. The studies established a maximum tolerated dose, with phototoxicity proving to be the dose-limiting toxicity.

On May 18, 2000, we announced positive findings from an 18-patient, National Cancer Institute sponsored Phase I dose-escalating study of Metastat, administered once daily to patients with Kaposi's sarcoma, a disfiguring and potentially deadly malignancy frequently associated with human immunodeficiency virus (HIV). In such Phase I clinical trials, Metastat demonstrated an overall tumor response rate of 44% in patients with Kaposi's sarcoma and the National Cancer Institute has elected to continue testing Metastat in Phase II clinical trials. This trial is an open-label, two-dose study to establish clinical efficacy in patients with HIV-related Kaposi's sarcoma. The trial began recruitment in summer 2001 and presently is approximately 50% recruited.

#### Preclinical and Other Research and Development Activities

We have an active preclinical program in place to identify and characterize IMPACS that exhibit enhanced biological activities compared to Periostat and Metastat. In collaboration with the University of Rochester, we have synthesized over thirty new IMPACS. These are being evaluated in a variety of in vitro and in vivo assay systems under a three-year research agreement with SUNY, which concluded in May 2001.

We receive certain proprietary rights to inventions or discoveries that arise as a result of this research. Our current research and development objective is to develop additional products utilizing our IMPACS technology, preferably in conjunction with development partners.

In February 2002 we announced that we had licensed a dermal and transdermal drug delivery technology, named Restoraderm(TM), from its inventor. Restoraderm is designed to enhance the dermal delivery of a variety of active ingredients and we intend that it will form the basis for a portfolio of topical dermatological pharmaceuticals.

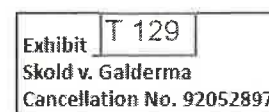
The Restoraderm technology is based on the ability of certain lipid compositions to enhance the natural skin barrier and facilitate the dermal and transdermal delivery of known active ingredients. The Restoraderm technology is currently still under development, and we anticipate that the first products to be developed using the technology will be available in late 2002. In exchange for the rights to the technology, we will pay the inventor milestone fees upon the achievement of certain objectives as well as royalties on future sales of products based on the technology.

Our research and development expenditures were approximately \$5.0 million, \$3.1 million and \$3.8 million in 1999, 2000 and 2001, respectively. See "Management's Discussion and Analysis of Financial Condition and Results of Operations - Results of Operations."

<PAGE>

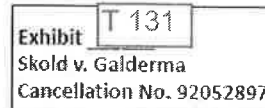


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- Source : Press Release
- Date : 2002-02-12
- Companies : CollaGenex Pharmaceuticals Inc.



**CollaGenex Licenses Novel Dermal Drug Delivery Platform**

NEWTOWN, Pa., Feb 12, 2002 (BUSINESS WIRE) -- CollaGenex Pharmaceuticals, Inc. (NASDAQ:CGPI) today announced that it has licensed a novel dermal and transdermal drug delivery technology from its inventor.

The technology, named Restoraderm(TM), is designed to enhance the dermal delivery of a variety of active ingredients and will form the basis for a novel, proprietary and differentiated portfolio of topical dermatological pharmaceuticals.

The technology is based on the ability of certain lipid compositions to enhance the natural skin barrier and facilitate the dermal and transdermal delivery of known active ingredients. The Restoraderm technology is currently still under development, and CollaGenex anticipates that the first products to be developed using the technology will be available in late 2002.

In exchange for the rights to the technology, CollaGenex will pay the inventor milestone fees upon the achievement of certain objectives as well as royalties on future sales of products based on the technology.

"The licensing of the Restoraderm drug delivery technology is an important element of our strategy to build a diversified portfolio of products for the dermatology market," noted Brian M. Gallagher, PhD, chairman, president and chief executive officer of CollaGenex. "We anticipate that our future business in dermatology will include three key elements. Our first sales in this area will come from established, under-promoted products that we in-license, and we expect to complete the first of these agreements in the near future. The second key business element will be composed of dermatology products based on the Restoraderm technology, the first of which we hope to launch later this year. Finally, and perhaps most importantly, will be the development of the clinical use of Periostat to treat acne and rosacea, for which we plan a series of clinical trials during 2002 and 2003."

CollaGenex Pharmaceuticals, Inc. is a specialty pharmaceutical company currently focused on providing innovative medical therapies to the dental and dermatology market. The Company's lead product, Periostat, is the first and only pharmaceutical to treat periodontal disease by inhibiting the enzymes that destroy periodontal support tissues.

Periostat is marketed to the dental community through a professional pharmaceutical sales force composed of approximately 120 sales representatives and managers.

Currently, the Company's dental sales force is also marketing Vioxx(R), a Merck & Co. drug that CollaGenex co-promotes for the treatment of acute dental pain, and Atridox(R), Atrisorb(R) and Atrisorb-D(R), Atrix Laboratories Inc.'s products for the treatment of adult periodontitis.

Research has shown that the enzyme suppression technology underlying Periostat may also be applicable to other diseases involving destruction of the body's connective tissues, including cancer metastases (Metastat) and a broad range of inflammatory diseases.

CollaGenex is developing a series of novel, proprietary compounds known as IMPACS (Inhibitors of Multiple Proteases and CytokineS) to address these applications. The Company intends to pursue further research and development of these technologies primarily through partnerships with third parties.

To receive additional information on the Company, please visit our Web site at [www.collagenex.com](http://www.collagenex.com), which is not a part of this press release.

This news release contains forward-looking statements within the meaning of Section 21E of the Securities and Exchange Act of 1934, as amended. Investors are cautioned that forward-looking statements involve risks and uncertainties, which may affect the Company's business and prospects.

The Company's business of selling, marketing and developing pharmaceutical products is subject to a number of significant risks, including risks relating to the implementation of the Company's sales and marketing plans for Periostat; risks inherent in research and development activities; risks associated with conducting business in a highly regulated environment and uncertainty relating to clinical trials of products under development, all as discussed in the Company's periodic filings with the US Securities and Exchange Commission.

Periostat(R), Metastat(R) and IMPACS(R) are trademarks of CollaGenex Pharmaceuticals, Inc.

VIOXX(R) is a trademark of Merck & Co., Inc.

Atridox(R), Atrisorb(R) and Atrisorb-D(R) are trademarks of Atrix Laboratories, Inc.

Periostat(R) and CollaGenex(R) are trademarks of CollaGenex International Limited.

CONTACT: CollaGenex Pharmaceuticals, Inc.  
Robert A. Ashley, 215/579-7388

URL: <http://www.businesswire.com>

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Arthur Jackson

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**From:** Jeffrey Day [jday@collagenex.com]  
**Sent:** Thursday, February 14, 2002 10:24 AM  
**To:** Thomas Skold  
**Subject:** Help!!!!

Thomas,  
We have this opportunity (P&G) with the Peptide growth hormone. Do you believe that a peptide can be delivered into the skin in Restoraderm, and do you or Ponsus have experience with this ?  
Jill is pushing for us to meet with P&G, but it would be worthless if you don't think it will work?

Please call me immediately with your comments!

Jeff Day

Exhibit T134  
Skold v. Galderma  
Cancellation No. 92052897



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Arthur Jackson

**From:** Jeffrey Day [jday@collagenex.com]  
**Sent:** Monday, February 18, 2002 7:59 AM  
**To:** 'Thomas Sköld'  
**Subject:** RE: In the States

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Exhibit T135  
Skold v. Galderma  
Cancellation No. 92052897

Thomas,

I hope you are feeling better! I will contact you later this AM, most likely someone will pick you up around 11:30.

Follow up:

1. Terry Cobb - I wanted to make sure you got this message to call him this AM.
2. John Kinzell - Did you receive this email as well. John was Pres of Optime (Liposomal Delivery Co.) and just left looking for new opportunities, he might be a great person to call for; money and US expertise. If you don't have his number, call me this AM!
3. Have you followed up with Bruce Simpson?

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:skold@mbox312.swipnet.se]  
**Sent:** Sunday, February 17, 2002 8:12 PM  
**To:** Jeff Day  
**Subject:** In the States

Good morning Jeff,

Wanted to let you know that I made it here to the Brick.

I have had a stomach disease since Friday so the flight could have been more pleasant. However, I am getting better so I should be alright by the time we meet for lunch.

Enclosed please find the RestoraDerm Formula including two important names.

See you soon.

Regards,  
Thomas



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Public

Arthur Jackson

**From:** Rob Ashley [rashley@collagenex.com]  
**Sent:** Wednesday, May 01, 2002 9:48 AM  
**To:** Thomas Sköld  
**Subject:** RE: Visit to ATS

Exhibit T136  
Skold v. Galderma  
Cancellation No. 92052897

210

Thomas,  
Its not Atrix its ATS! I think they will go for an OTC "skin rejuvenation" type claim in the first instance. All we provide is the more elegant vehicle. As with Melanotan, maybe the liposomal formulations will be more attractive.  
Any interim stability data? I notice hte little bottle of cream I brought home separated then got infected. I'm growing an interesting bacterial colony on my desk at the moment!!  
Rob

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@swipnet.se]  
**Sent:** Wednesday, May 01, 2002 9:32 AM  
**To:** 'Robert A. Ashley'  
**Subject:** RE: Visit to ATS

Hi again,  
Sounds good! So they are interested after all. Do we know what specific product (indication) would Atrix be interested in?  
So you know, we hope to get more Restoraderm chemicals in the end of next week. We will then start with the neutral version and go on to the lidocain formulations. Everything is done on paper we just need to verify it in the lab. Mats Silvander is up to date with the Melanotan substance. I will have a meeting with Mats early next week.

Hope to see you in Sweden soon.

Regards,  
Thomas

-----Original Message-----

**From:** Robert A. Ashley [mailto:rashley@collagenex.com]  
**Sent:** Wednesday, May 01, 2002 2:49 AM  
**To:** 'Don Rindell'  
**Cc:** 'Brian Gallagher'; 'Michael Romanowicz'; thomas-skold@swipnet.se  
**Subject:** RE: Visit to ATS

Dear Don,  
My apologies for not following up diligently on these issues.  
With respect to Atrix, I will drop an e-mail to Dr Steve Garrett at Atrix and introduce the concept.  
With respect to Restoraderm the stability testing of the base formulations is progressing well. We have 4 different formulations on stability. Meanwhile we are building the intellectual infrastructure around the world to develop the technology into products. 3 months stability will be up in mid June at which time we can be confident that the formulations are marketable. In the meantime we can send you samples of the final formulations if this will help you determine their acceptability or otherwise. We need a Material Transfer Agreement in place to be able to do this. I'll get something going tomorrow on that front.  
Finally with respect to Dermagraft, we are currently focusing our efforts on Periostat and our forays into dermatology. Given that, I don't think that we would be able to devote the significant selling effort to Dermagraft which would be required to be successful. If the situation changes, we would be happy to reconsider.  
Best regards,  
Rob Ashley

-----Original Message-----

**From:** Don Rindell [mailto:Don.Rindell@advancedtissue.com]  
**Sent:** Tuesday, April 30, 2002 10:36 AM  
**To:** 'Rob Ashley'  
**Cc:** 'Brian Gallagher'; 'Mike Romanowicz'; Mark Gergen  
**Subject:** RE: Visit to ATS

Dear Rob:



There were a few action items coming out of our San Diego meeting, and I would appreciate your response as to how you would like to proceed.

- Setting up a meeting a between Atrix and ATS to introduce NouriCel (Conditioned Medica) as a potential new combination product
- ATS interest in testing NouriCel with Collagenex's new delivery platform
- Continued communication regarding the future marketing of Dermagraft to the Periodontal market segment

I look forward to hearing from you.

Best regards  
Don

-----Original Message-----

**From:** Don Rindell  
**Sent:** Thursday, March 21, 2002 2:54 PM  
**To:** 'Rob Ashley'  
**Cc:** Brian Gallagher; Mike Romanowicz  
**Subject:** RE: Visit to ATS

Dear Rob

Just a quick note to thank you and Brian for taking the time to visit ATS during your recent stay in San Diego. We were impressed with the progress Collagenex has made in securing a solid position in the dental and periodontal market place. We were also intrigued with the multiple areas of potential collaboration between our companies and look forward to future discussions.

As a follow-up to our meeting, we agreed that a good next step would be to meet with Atrix Labs exploring the development of an ATRISORB / NouriCel product. Please let me know how we can best proceed in setting up that meeting.

Best regards  
Don

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Arthur Jackson

**From:** Rob Ashley [rashley@collagenex.com]  
**Sent:** Friday, May 03, 2002 7:24 AM  
**To:** 'Thomas Sköld'  
**Subject:** RE: Antares Pharma

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Thomas,

All in favor of any and all deals on Restoraderm. Please arrange to meet with them in PHL (regardless of the outcome of the P deal). Call Karen regarding my schedule, however, which is very full!!

Robert A. Ashley

Exhibit T137  
Skold v. Galderma  
Cancellation No. 92052897

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@swipnet.se]  
**Sent:** Monday, April 29, 2002 9:02 AM  
**To:** Brian M. Gallagher; Jeff Day; Nancy Broadbent; Robert A. Ashley; David Pfeiffer  
**Subject:** Antares Pharma

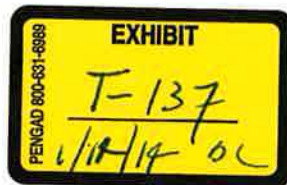
Good morning again,

I just had a phone call from Dario Carraras from Antares Pharm (Basel) who confirmed their interest of working with us on both Proderm and Retoraderm when it comes to transdermal delivery. As mentioned before their headquarter is moved to Philadelphia and the new CEO is Dr. Roger Harrison. That could also mean that we have the facility that we need to conduct all the pre studies with Melanotan that we need.

I told Dario that I need to talk to some people (you) and will get back to him on May 20. So I hope that we will be able to discuss this a little bit prior to that date and maybe we can do so when you get to Stockholm. He also confirmed that he is going to Philadelphia in June, which would be a good time to see all of you and perhaps discuss details when it comes to agreement issues and so on.

The whole idea is that they will pay for development cost (we formulation) and that we would share any royalty and down payments that would come in. Normally we would be able to get some sort of down payment up on signing. That is something we need to negotiate about. They are right now in a fundraising process, which they are supposed to close in September. So depending on when a deal would be signed, that will probably set the size of a down payment and thereby also the royalty.

Best regards,  
Thomas



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Arthur Jackson

From: Jeffrey Day [jday@collagenex.com]  
Sent: Wednesday, October 09, 2002 4:47 PM  
To: Thomas Skold  
Subject: FW: Fujisawa Meeting

Exhibit T138  
Skold v. Galderma  
Cancellation No. 92052897

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Thomas,

1. Will you be able to have any neutral or Lidocaine samples for a Nov 7th meeting with Fujisawa, even if not useable on humans. In addition, Ortho-Neutrogena called to meet about Restoraderm, and we met with Watson today and they were interested as well.

Where do you stand with any updates on the presentation?

2. Ponsus

I have enclosed an email for your eyes only. Rob is asking me if I can get any updated (accurate) forecasts from you on Ponsus, with the new deals in place. It seems Brian is working to get a better handle on this so we can make a decision!

Jeff Day

-----Original Message-----

From: Rob Ashley [mailto:rashley@collagenex.com]  
Sent: Wednesday, October 09, 2002 4:07 PM  
To: 'Jeffrey Day'  
Subject: RE: Fujisawa Meeting

Jeff,

Looks good. However what do you want to say about COL-308? I don't have hardly any data about this particular compound. I guess we can talk about the COLs in a general sense. What else can we get from Thomas to help us out at this meeting?

Also for our 14th meeting, can we get any even more up to date and perhaps more optimistic sales forecasts about Ponsus from Thomas? I see Brian has put it on the agenda (a promising sign!!)

Robert A. Ashley

-----Original Message-----

From: Jeffrey Day [mailto:jday@collagenex.com]  
Sent: Wednesday, October 09, 2002 3:30 PM  
To: Robert Ashley  
Subject: FW: Fujisawa Meeting

Rob,

We are confirmed for Nov 7th with Fujisawa.

Jeff Day

-----Original Message-----

From: Jean Rumsfield@fujisawa.com [mailto:Jean.Rumsfield@fujisawa.com]  
Sent: Tuesday, October 08, 2002 5:40 PM  
To: Jeffrey Day  
Subject: RE: Fujisawa Meeting

Dear Jeff

I can't believe it!!! I was able to get time of most of the important players on Thursday November 7 from 1a to 12noon. Does this still work for

you? I also invitied our medical director (a board certified dermatologist) and a regulatory person.

I would be happy to assist you with any travel arrangements or provide you



with additional information.  
Thanks again for your patience on this!  
Jean

"Jeffrey Day" <jday@collagenex.com> on 10/07/2002 11:32:43 AM

To: <Jean.Rumsfield@fujisawa.com>  
cc:

Subject: RE: Fujisawa Meeting

Jean,  
Let's keep the first meeting to you and sales and marketing. The goal is to discuss future versions (Call -308) of Periostat for dermatological applications and a lipid based product and delivery system (Restoraderm).

Let's shoot for the 7th (Thursday)! Let me know what time works best with you? Thanks for all of your support on this meeting. I know it is a pain arranging these meetings and working around everyone's busy schedules!

Jeff Day

-----Original Message-----

From: Jean.Rumsfield@fujisawa.com [mailto:Jean.Rumsfield@fujisawa.com]  
Sent: Friday, October 04, 2002 12:06 PM  
To: Jeffrey Day  
Subject: RE: Fujisawa Meeting

Dear Jeff

Right now the afternoon of Wednesday Nov 6 is open and most of Thursday Nov

7 and Friday Nov 8 is open.

This is based on the schedules of our sales and marketing people. I am still not entirely clear of the meeting agenda so I wasn't sure if I need

to invite R&D or regulatory people as well.

I appreciate your patience on this and am sorry it is taking so long to set up!

With Regards  
Jean

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Arthur Jackson

**From:** Jeffrey Day [jday@collagenex.com]  
**Sent:** Monday, March 10, 2003 10:58 AM  
**To:** 'Thomas Sköld'  
**Subject:** RE: Yesterdays meeting

Exhibit T139  
Skold v. Galderma  
Cancellation No. 92052897

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Let me know the date the new product will be available.

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Monday, March 10, 2003 3:02 AM  
**To:** 'Jeffrey Day'  
**Subject:** RE: Yesterdays meeting

Good morning Jeff,

Sounds like a good challenge to present the technology for Ortho-Neutrogena. The fact that they called gives us some sort of advantage I think. It will be extremely interesting since it is my first time talking about it to a company.

Should we try to set the meeting up for 9:00 am? We could have breakfast at our hotel.

I will keep you posted about the progress with Investor. I am fairly sure that the management will listen to Thomas, which means we have to agree on the price and how it should be paid. Since Pathfinder wants to re-sign an agreement due to their acquisition of Sea & Ski we need to get as much info as possible to be able to make up projections that you will use as a base to value the company.

Regards,  
Thomas

-----Original Message-----

**From:** Jeffrey Day [mailto:jday@collagenex.com]  
**Sent:** Sunday, March 09, 2003 5:26 PM  
**To:** 'Thomas Sköld'  
**Subject:** RE: Yesterdays meeting

Let me know when I can get the new completed samples. I need to prepare for several meetings and studies.

Note: Ortho-Neutrogena called to set up a meeting at teh AAD! I will set up for Fri or Sat. Try to set up the meeting with Bernie on Sunday (except 12-2:30)

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, March 07, 2003 11:46 AM  
**To:** 'Jeffrey Day'  
**Subject:** RE: Yesterdays meeting

Hi Jeff,

Sure thing.

I will send him an E-mail requesting a phone call at his earliest convenience.

By the way I didn't proper congratulate you to what is about to see day light in 6½ month. Congratulations to you and your family.

Have a great weekend.

Regards,  
Thomas

Ps. We are starting the BPO developing work on Tuesday. On Tuesday evening we will fill the propellant in both clobetasol-aerosol products and vehicle-aerosol products





-----Original Message-----

**From:** Jeffrey Day [mailto:jday@collagenex.com]

**Sent:** Friday, March 07, 2003 5:20 PM

**To:** 'Thomas Sköld'

**Subject:** RE: Yesterdays meeting

Thomas,

It was great seeing you!

Can you do me a favor, really important! Joe Fowler is starting up two studies (Pin Prick versus Elamax and Hand Dermatitis for new Restoraderm Foam), in fact the Pin Prick has started.

Can you call him over the weekend to discuss both of these studies to make sure you are okay with them, and you can get his initial feelings?

Lidocaine: Pin Prick versus Elamax (to simply see if we are as efficacious for pain relief and in on-set!)

Restoraderm: Enhanced Pro-Q study versus Aquaphor

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]

**Sent:** Friday, March 07, 2003 4:55 AM

**To:** Jeff Day; Nancy Broadbent; Robert A. Ashley

**Subject:** Yesterdays meeting

Dear friends,

I'm finally home in Sweden after this quick but very productive trip.

I'm happy to say that Thomas really liked what he saw and he will be working in our favor to make this happen.

He also mentioned that he would be the one (from Investor) responsible for a CollaGenex investment based on a share swap but also for any future investment. He got a good impression of the company and very important also of you personal. Thank you all for a very good meeting.

Have a great weekend.

Regards,  
Thomas

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Arthur Jackson

From: Jeff Day [jday@collagenex.com]  
Sent: Friday, October 03, 2003 4:59 PM  
To: Thomas Sköld  
Subject: RE: (No subject)

Exhibit T141  
Skold v. Galderma  
Cancellation No. 92052897

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Thomas,  
Jill will be calling you on Monday to discuss the new data. Things have progressed with Cardinal and there is a conference call on Tuesday, we may need to use it.

You can call her on Sunday if it is better for you!  
Can you be on the call on Tuesday.

Cell: (801) 560-6489  
Office: (801) 553-7075

Jeff Day

-----Original Message-----

From: Thomas Sköld [mailto:thomas-skold@telia.com]  
Sent: Thursday, October 02, 2003 7:48 PM  
To: Jeff Day  
Subject: FW: (No subject)

Hello again,

This is really good news.  
It gives you a really good competitive edge against Connetics.

Regards,  
Thomas

Ps. Good luck with your new baby!



-----Original Message-----

From: rghadial@itsa.ucsf.edu [mailto:rghadial@itsa.ucsf.edu]  
Sent: Thursday, October 02, 2003 9:42 PM  
To: jday@collagenex.com; thomas-skold@telia.com  
Subject: (No subject)

Dear Jeff,  
\*\*\*\*\*Do you have a new baby yet?

Dear Jeff and Thomas,

1. I have attached Methods and Results from Transepidermal water loss measurements after 5day bid application of Olux vs Collagenex Clobetasol foam. Also photograph of skin because the Olux skin became noticeably dry and wrinkly.

2. Pretreatment with Restoraderm and then barrier assessment started this week.

Ruby

Ruby Ghadially MBChB, FRCP(C)Derm.  
Assoc. Professor, Dermatology  
Univ. of California, San Francisco  
Mailing address:  
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NEW EMAIL: [rghadial@itsa.ucsf.edu](mailto:rghadial@itsa.ucsf.edu)

~~CONFIDENTIAL~~

Public

Arthur Jackson

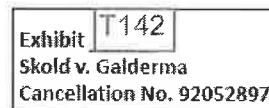
**From:** Jeff Day [jday@collagenex.com]  
**Sent:** Friday, October 24, 2003 3:38 PM  
**To:** Thomas Sköld  
**Subject:** RE: Follow up formulation technology: Collagenex

221

Yes

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, October 24, 2003 2:49 PM  
**To:** Jeff Day  
**Subject:** RE: Follow up formulation technology: Collagenex



OK,

I will keep that in mind while organizing something.

Ps. Novartis is the major sponsor of the caribbean derm meeting. Perhaps I should mention it to them when I see them.

Regards,  
Thomas

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Friday, October 24, 2003 8:15 PM  
**To:** Thomas Sköld  
**Subject:** RE: Follow up formulation technology: Collagenex



I agree, but I can't get them to move on a CDA.

Jeff Day

-----Original Message-----

**From:** Thomas Sköld [mailto:thomas-skold@telia.com]  
**Sent:** Friday, October 24, 2003 2:01 PM  
**To:** Jeff Day  
**Subject:** RE: Follow up formulation technology: Collagenex

Jeff,

Let me work on this during the weekend and I will send you my ideas on Monday morning. Could we not arrange a CDA with them? Otherwise the information will be really restricted.

Rob mentioned that our patent will be official soon (I guess in March next year) but until then we should be really careful.

Regards,  
Thomas

-----Original Message-----

**From:** Jeff Day [mailto:jday@collagenex.com]  
**Sent:** Thursday, October 23, 2003 9:08 PM  
**To:** Thomas Sköld  
**Subject:** FW: Follow up formulation technology: Collagenex

Thomas,  
One of my dermatology contacts has made some in-ways into Novartis for us, and it looks as if they will at least, review our technical data on Restoraderm as a potential delivery carrier for Ellidel.

Can you take a look at the questions (see below) she is asking us to address, and answer them as best you can?  
What do you think we could send with no confidentiality?

Jeff Day

-----Original Message-----

**From:** [katrin.kriwet@pharma.novartis.com](mailto:katrin.kriwet@pharma.novartis.com) [<mailto:katrin.kriwet@pharma.novartis.com>]  
**Sent:** Saturday, October 04, 2003 11:45 AM  
**To:** Jeff Day  
**Cc:** [robert.tallman@pharma.novartis.com](mailto:robert.tallman@pharma.novartis.com)  
**Subject:** Re: Follow up formulation technology: Collagenex

Dear Mr. Day,

I am referring to your email to Robert Tallman from September 18th, which was forwarded to the Pharmaceutical Development Department. In order to better assess, whether your Lipid Based Delivery technology is of potential interest for one of Novartis development compounds (including Elidel), I'd like to ask you to send us some non-confidential information about your technology. Information, in which we are interested, are:

- technology description
- advantage of your technology compared to conventional topical pharmaceutical products (creams, ointment etc.)
- development stage of the technology, e.g. pre-clinical, clinical stage or technology already used in a marketed Pharma product?
- which kind of drug substances would fit best and in opposite which drug substances can not be formulated with your technology (e.g. limitations with respect to molecular size, lipophilicity, solubility, stability etc)
- patent information
- company information

My address  
Dr. Katrin Kriwet  
Novartis Pharma  
Building WSJ340.867  
4002 Basel, Switzerland

Phone: 0041 61 324 4069  
Fax: 0041 61 324 7432

Thank you very much for bringing the Collagenex' lipid based technology to our attention. I am looking forward to receive further information and to learn more about Collagenex capabilities.

With best regards      Katrin Kriwet

Novartis Pharma  
Pharmaceutical Development

----- Forwarded by Robert Tallman/PH/Novartis on 09/19/2003 10:35 AM -----

"Jeff Day" <[jday@collagenex.com](mailto:jday@collagenex.com)>

09/18/2003 04:58 PM

To: Robert Tallman/PH/Novartis@PH  
cc:  
Subject: Follow up

Robert,

This is a follow up to a message I left on your phone earlier today. Morris Westfried, MD recommended I give you a call to discuss the opportunity of presenting our Lipid Based Delivery technology to Novartis. A possible next generation carrier for Elidel.

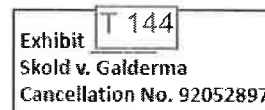
I can be reached at any of the following phone numbers:

Work: (215) 579-7388 ext. 3125  
Cell: (215) 534-4549

Thanks!

Jeffrey Day  
Vice President Dermatology  
CollaGenex Pharmaceuticals, Inc.

# American Contact Dermatitis Society



Excellence in Occupational & Contact Dermatitis Research,  
Practice & Education

## ABSTRACTS

American Contact Dermatitis Society

16<sup>th</sup> Annual Meeting  
February 17, 2005



Hilton New Orleans Riverside  
New Orleans, LA

Visit ACDS at [www.contactderm.org](http://www.contactderm.org)



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16<sup>th</sup> Annual Meeting  
Hilton New Orleans Riverside  
Ballroom B  
New Orleans, LA  
February 17, 2005**

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# Schedule of Events

7:00 AM	<b>Registration Open</b>	<b>Grand Ballroom B</b>
7:30 AM	<b><u>ACDS Breakfast Symposium</u></b> <b>David Cohen, MD:</b> Therapies for Facial Dermatitis <i>Sponsored by CollaGenex</i>	<b>Grand Salon 15/18</b>
8:30 AM	<b><u>Welcome to the 16<sup>th</sup> ACDS Annual Meeting</u></b> <b>Anthony Gaspari, MD,</b> ACDS President <b>Bruce Brod, MD,</b> ACDS Annual Meeting Committee Chair	<b>Grand Ballroom B</b>
8:35 AM	<b><u>General Session</u></b> <b>Linda Moreau, MD, FRCP:</b> Allergic Contact Dermatitis Associated with Reactive Dyes in a Dark Garment: A Case Report*	
8:45 AM	<b>Kim Eickhorst, MD:</b> Rue the Herb: Ruta Graveolens Associated Phytophototoxicity*	
8:55 AM	<b>Denise Aaron, MD:</b> Burden and Bother of Dermatitis in Patients Referred to a NACDG Center for Patch Testing*	
9:05 AM	<b>Giuseppe Militello, MD:</b> The Utility of the TRUE Test in a Private Practice Setting*	
9:15 AM	<b>Anna A. Bar, MD:</b> Antigenicity of Patch Test Allergens Over Time*	
9:25 AM	<b>Krista Shackelford, MD:</b> Adverse Events from Patch Testing: A Case Report of Pemphigus Follicularis and Epidermal Detachment*	
9:35 AM	<b>Divya Srivastava, MD:</b> Identification of the Constituents of Balsam of Peru in Tomatoes*	
9:45 AM	<b>Mary Sheu, MD:</b> Allergic Contact Dermatitis from Tom's of Maine Natural Deodorant: A Report of 4 Cases Associated with Lichen Acid Mix Allergy*	
9:55 AM	<b>Golara Honari, MD:</b> The Utility of Patch Testing with Topical Medicaments as an Adjunct to Standard Screening Panels*	
10:05 AM	<b>Dan Slodownik, MD:</b> Allergic Contact Cheilitis and Stomatitis to Toothpastes in Israeli Patients* **	
10:15 AM	<b>Peter C. Schalock, MD:</b> Efficacy and Patient Perception of Grenz Ray Therapy in the Treatment of Dermatoses Refractory to Other Medical Therapy*	
10:25 AM	<b>Samara Mimesh, MD:</b> ACD to Corticosteroids: Reproducibility of Patch Testing and Correlation with Intradermal Testing*	
10:35 AM	<b>Break/Exhibits/Posters</b> Posters in Grand Salon 10/7	<b>Grand Salon 10/7</b>
11:00 AM	<b>James Yiannias, MD:</b> Update on ACDS Databases.	

\* Candidates for the Alexander A. Fisher Resident Award.

\*\* Howard I. Maibach International Travel Award recipient.

- 11:05 AM **Occupational Dermatology Symposium:**  
The Donald J. Birmingham Occupational Skin Diseases Symposium is supported by the National Occupation Research Agenda (NORA).  
Moderated by Boris Lushniak, MD
- 11:05 AM **D Linn Holness, MD:** Dermatologist Occupational Disease Practice Survey
- 11:15 AM **Linda Moreau, MD, FRCP:** Occupational Allergic Contact Dermatitis  
From Triphenyl Phosphite\*
- 11:25 AM **Curtis P. Hamann, MD:** Prevalence of Latex Allergy in Dental Professionals in Japan and the United States
- 11:35:00 AM **Albert Wolkerstorfer, MD:** Unexpected Exposure to Nickel in Electroplating
- 11:45:00 AM **Malin Frick, MD:** Poor Correlation Between Stated and Found Concntrations of Isocyanates in Patch-Test Preparations
- 11:55:00 AM **Alexander Zemtsov, M.D., MSC:** Occupational Allergic Contact Dermatitis from Sodium Lauroyl Sarcosinate in the Liquid Soap
- 12:05 PM **ACDS Roundtable Lunch** *Grand Salon 15/18*  
Sponsored by Allerderm
- 1:30 AM **General Session**  
**Ronald Brancaccio, MD and David Cohen, MD:** Remembering Alexander Fisher
- 1:40 AM **Alexander Fisher Lecture**  
**Melanie Pratt, MD:** The Role of Mentoring in the Field of Contact Dermatitis
- 2:30 AM **ACDS Awards**
- 2:45 PM **Douglas L. Powell, MD:** Cutaneous Reactions to Silicone
- 2:55 PM **Klaus-Peter Wilhelm, MD:** Proclivity to Cumulative Skin Irritation: Dependence Upon Age and Sex
- 3:05 PM **Break/Posters/Exhibits**  
Posters in Grand Salon 10/7
- 3:35 PM **Mark Davis, MD:** Back to Basics: In Calculating Patch Test Reactions, Should Macular Erythema and Lesser Reactions be Included?
- 3:45 PM **Vinod Kumar Sharma, MD:** Evolution of Clinical Pattern of Parthenium Dermatitis: A Study of 74 Cases\*\*
- 3:55 PM **Susanne Astner, MD:** In-vivo confocal microscopy of contact dermatitis
- 4:05 PM **Cecilia Svedman, MD:** Contact Allergy to Metals After Percutaneous Transluminal Coronary Angioplasty (PTCA) and Stenting\*\*
- 4:15 PM **Mark Davis, MD:** Patch Testing to the Dust Mite (Dermatophagoides Mix 0.1%): High Rate of Reaction in Both Atopic and Nonatopic Patients
- 4:25 PM **Rochelle R. Torgerson, MD, PhD:** Contact Sensitivities in Oral Disease
- 4:35 PM **ACDS Business Meeting**
- 5:00 PM **Cocktail Reception** *Jasperwood*  
Sponsored by Ferndale Laboratories

\* Candidates for the Alexander A. Fisher Resident Award.

\*\* Howard I. Maibach International Travel Award recipient.

37	Mark Davis, MD	Patch Testing to the Dust Mite (Dermatophagoides Mix 0.1%): High Rate of Reaction in Both Atopic and Nonatopic Patients
38	Rochelle Torgerson, MD, PhD	Contact Sensitivities in Oral Disease

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40	Susun An	Influence of vehicles on the induction of skin irritation
41	Sachin Bhardwaj, MD	A Double-blind, Randomized, Placebo-Controlled Trial Comparing Topical Immunomodulating Agents and Corticosteroids for Treatment of Experimentally Induced
42	Normita Chua-Vivar, MD	Moringa Oleifera Leaf Extract as Active Antibacterial Property in a Bar Soap: A Randomized, Double-Blind, Placebo-Controlled Trial
43	Mark Davis, MD	Delayed Readings of Patch Test Reactions to Topical Corticosteroids: Low Yield
44	Joseph Fowler MD	A Comparator Study of an Adjunctive Dermal Lipid Replacement Foam (Restoraderm ®) in the Management of Refractory Hand Contact Dermatitis
45	Marcos Hervella, MD	Paraben "Para-" Doxes
46	Soogan Celeste Lalla, MD	Patch Testing in Children with Dermatitis
47	Eunyoung Lee	A Study of Influencing Factors for Sensory Irritation Due to Preservatives of Cosmetics
48	Meltem Onder, MD	Common Contact Sensitizers in Ankara, Turkey: A Study of 1585 Patients with the European Standard Series
49	Mario C. Pires, MD	Contact Dermatitis to Latanoprost
50	Mario C. Pires, MD	Contact Dermatitis in Children
51	Erik Zimerson, MD	Photoallergic Contact Dermatitis from Ketoprofen in Southern Sweden

## A COMPARATOR STUDY OF AN ADJUNCTIVE DERMAL LIPID REPLACEMENT FOAM (RESTORADERM®) IN THE MANAGEMENT OF REFRACTORY HAND CONTACT DERMATITIS

Fowler JF, Perryman JH; U. of Louisville, Louisville, KY.

**Background:** Dermatitis (irritant, allergic, or both) is the most common occupational skin disease. Although many "barrier creams" with high concentrations of petrolatum are sold, none have shown consistent effectiveness.

Restoraderm is composed of an exclusive non-alcohol, water-based formulation of lipids that mimics the body's own natural skin barrier system. It contains ceramides, cholesterol, palmitic acid and two biologic precursors, mevalonic acid and hydroxycholecalciferol. It does not contain petrolatum, and is a non-greasy formulation. Many occupational hand dermatitis patients, find it difficult to work when using a product with petrolatum as it's greasy residue can negatively affect grip and impair the protection of latex gloves.

**Objective:** To measure the effectiveness of Restoraderm in reducing or eliminating chronic hand contact dermatitis. The primary endpoints were mean percent change from baseline in the Clinician's Global Assessment Score and mean change in frequency of topical steroid use.

**Methods:** Thirty-one patients were randomized to receive either Restoraderm or a comparator (ointment or lotion) at the baseline visit. Each patient received Restoraderm for a 3 week period followed by comparator or vice versa. There was a two week wash out between study phases.

**Results:** Restoraderm proved to be effective in reducing or eliminating chronic hand contact dermatitis caused by occupational exposures. It was preferred by patients over the comparators. The non-greasy foam formulation of Restoraderm may contribute to compliance, ease of use, and patient satisfaction in patients with chronic hand dermatitis.

This study was supported by an unrestricted grant from CollaGenex Inc.

Notes: \_\_\_\_\_  
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Skold Deposition Exhibit Workbook

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